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**‘Whoever seeks the Law will be filled with it’ (Ben Sira 32.15):
An examination of the history of *darash* and its influence on
the Acts of the Apostles**

by

Francis Cousins

A thesis submitted for the degree of Doctor in Philosophy

Department of Theology and Religion

Durham University

2019

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‘Whoever seeks the Law will be filled with it’ (Ben Sira 32.15): An examination of the history of darash and its influence on the Acts of the Apostles

Abstract

This thesis contributes to the discussion of midrash in the New Testament (NT). It begins by investigating the history of the word *darash*, particularly its usage in a number of texts (the Tanak, Ben Sira, the Dead Sea Scrolls [DSS], and the Mishnah), the majority of which precede the composition of the NT. The results of the investigation indicate that the verbal form *darash*, from which midrash derives its name, was used with the sense of textual interpretation in the book of Ben Sira, and the DSS.

An examination of the translation of *darash* in the Septuagint, shows linguistic connections to the genre of *zētēsis*, which has its roots in those who defended the poet Homer from criticism. *Zētēsis* has close links to midrash from a linguistic perspective and in the techniques used by the proponents of both. An examination of both the Hellenistic Jewish background of authors such as Demetrius, and Philo, in addition to the Hebrew texts such as Ben Sira and the DSS permits NT texts to be viewed from new perspectives.

An examination of Acts, and the Council of Jerusalem in particular, shows that Luke uses the term ζήτησις to describe the debate which takes place. Luke uses this term exclusively with relation to questions of Jewish law. This means that the decision as to whether Gentile Christians must adhere to the law of Moses is a legal debate, and the Apostolic Decree regulates Gentile Christians’ relationship to that law.

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Abbreviations

All abbreviations of ancient literature, academic journals and monograph series follow the forms indicated in the *SBL Handbook of Style: For Biblical Studies and Related Fields*; 2nd ed. (Atlanta: SBL, 2014).

Additional abbreviations:

DSS Dead Sea Scrolls

IL Interpreter of the Law

Declaration

This work has been submitted to the University of Durham in accordance with the regulations for the degree of Doctor of Philosophy. It is my own work, and no part of it has been previously submitted to the University of Durham or in any other university for a degree.

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The copyright of this thesis rests with the author. No quotation from it should be published without the author's prior written consent and information from it should be acknowledged.

Acknowledgements

In a work which tries to bring many texts into conversation with each other, it is only right to begin by acknowledging the assistance of many people who helped to bring this work to completion.

Firstly, my supervisors: when I began work on my doctoral dissertation, the initial stages were steered by Professor Robert Hayward, whose guidance helped to shape the thesis. During the final stages, the guidance and support of Dr Jan Dochhorn helped to shape the work and bring it to completion. Jan's keen critical eye offered constructive advice. Additionally, the guidance of my secondary supervisors was invaluable, each providing insights which both challenged and stimulated my research. To Drs Jane Heath, Dorothee Bertschmann, T. J. Lang, and David Janzen, I offer my sincere thanks.

My interest in the relationship between rabbinic literature and the New Testament was first awakened at St Patrick's College, Maynooth, where I completed my Masters under the supervision of Professor Séamus O'Connell. I benefitted from Séamus's wisdom, and that of his colleague Jeremy Corley, as well as the staff and students from postgraduate seminars in Maynooth, who welcomed me among their number.

Last but by no means least, I thank with a full heart my family who have encouraged me every step of the way, and offered fulsome support in every way. To Catherine, whose love, wisdom, and unfailing support has been the foundation on which this dissertation was built. To my parents, Kathleen and Jimmie, who have always been ready to offer any assistance required, even when I may not have been aware it was needed. To the members of my extended family, who have helped in ways which may have seemed insignificant, but each in their own way have had a share in this work. Thankfully, there will be no further inquiries as to whether I have nearly finished! Finally, I thank my Uncle Francis, whose name I am proud to share, who has from the earliest days supported my education. You even managed to read the entire thesis despite the many obstacles in the form of Greek and Hebrew! And it is to Catherine and Uncle that I dedicate this work.

1. Introduction

Since the second half of the last century, scholars, following in the footsteps of Renée Bloch¹ and others, have sought to read the NT in the light of rabbinic midrash, examining how rabbinic exegetical techniques influenced NT writers, in order to come to a deeper understanding of NT texts.² Following the discoveries in the caves at Qumran, studies have emerged which allow these two groups of texts to speak to each other.³ Additionally, the Hellenistic background of the NT cannot be overlooked. As well as sharing a language (Greek), other aspects of Hellenistic culture have had an influence on NT writers, an aspect that has been studied in part, but largely overlooked. This dissertation will demonstrate that bringing all these elements together can illuminate pericopae in Acts. Indeed, the central passage of Acts (Acts 15.1-21), which narrates the Council of Jerusalem, is described as a ζήτησις (debate). For Luke, this term is significant as it is only used in Acts to describe debates which relate to Jewish law. Thus, the debate which takes place at the Council, as to whether or not Gentiles must be circumcised and follow the law of Moses in order to become Christians (Acts 15. 1, 5), is a debate on matters of Jewish law.

This study seeks to build on the heritage of previous scholarship by tracing the history of דרש (search) and מדרש (midrash) from the Tanak, through Ben Sira and the DSS, to the Mishnah. It will examine how דרש and מדרש are used, and trace the senses of the term and the semantic changes which have occurred. In addition, the study will examine the literature of the Hellenistic world. Beginning with an

¹ Renée Bloch, 'Midrash,' *DBSup*; vol. 5 (Paris: Letouzey, 1957), 1278-79.

² Philip Alexander, 'The Rabbinic Hermeneutical Rules and the Problem of the Definition of Midrash,' *PIBA* 8 (1984): 97-125.

³ Stanley E. Porter and Craig A. Evans (eds.), *The Scrolls and the Scriptures: Qumran Fifty Years After*; JSPSup 26 (Sheffield: JSOT, 1997). George J. Brooke, *The Dead Sea Scrolls and the New Testament: Essays in Mutual Illumination* (London: SPCK, 2005).

examination of how שרר was translated in the LXX (notably by the verb ζητέω or cognates), links can be made to the genre of ζήτησις, whose origins can be traced as far back as Aristotle and his defence of Homer against the poet's critics. The genre of ζήτησις illuminates a reading of certain NT pericopae, notably the Council of Jerusalem (Acts 15.1-21).

Scholars who engage in a treatment of midrash and the Gospels often choose to focus on the literary structure of midrash before looking for echoes in NT texts. This study seeks to fill that lacuna by engaging in a comprehensive study of the use of שרר in the Tanak, the DSS, Ben Sira, and the Mishnah, through which semantic changes in the term will emerge. Furthermore, in order to provide a bridge to the NT and the Greek language, the translation of שרר in the LXX is examined. Through this examination, it emerges that the majority of occurrences of שרר are translated by ζητέω (or ἐκζητέω), revealing close semantic links with the activity of ζήτησις, which was practised in the classrooms and symposia of the classical Greek world.⁴ Although popular from the time of Aristotle until the early centuries CE, the activity of ζήτησις has largely been overlooked by those examining the background of the NT.

One of the motivations behind the present dissertation is that no other scholar has attempted to engage in the same kind of study covering these distinct aspects. While various scholars have engaged with the genre of midrash, they have done so from a literary perspective, which, though it can lead to fascinating insights, often

⁴ Robin R. Schlunk, *The Homeric Scholia and the Aeneid: A Study of the Influence of Ancient Homeric Literary Criticism on Vergil* (Ann Arbor: University of Michigan Press, 1974), 6. Meir Gertner, 'Terms of Scriptural Interpretation: A Study in Hebrew Semantics,' *BSOAS* 25 (1962): 1-27, notes the links between zētēsis and midrash.

leaves the process which led to the results difficult to follow.⁵ One potential pitfall facing those who study midrash is that they first define midrash before bringing this definition to the NT text and looking for something similar in that text. More recently, Paul Mandel has examined the history of the word פשר, concluding that until the Amoraic period (200-500 CE), it was understood in a legal-instructional sense, as opposed to a textual-hermeneutical sense.⁶ Mandel's study remains within the world of Judaism. In this dissertation, links to the Hellenistic world through the activity of ζήτησις add new and key insight to the debate. Although rare, the occurrences of ζήτησις in the NT point to something which has been overlooked by scholars, notably in Acts, where the term refers to debates on matters of Jewish law.

This study of the word פשר will examine the use of this verb, as well as its nominal form פשרה, in a number of texts across a period of approximately 1,000 years. In a study of this kind, it is more important to know the meaning in context rather than etymology.⁷ While a linear development from biblical tradition to the Qumran corpus to rabbinic sources is not fully possible to construct, it is nonetheless worthwhile to approach the material in chronological order to facilitate understanding and help to clarify the general picture.⁸ Consideration will also be given as to whether midrash should be understood in the light of earlier traditions read forward, or in terms of later materials read backwards.⁹ How can criteria be constructed that enable the modern reader to determine when words widen their semantic fields and take on

⁵ For example, Marie Noonan Sabin, *Reopening the Word: Reading Mark as Theology in the Context of Early Judaism* (Oxford: University Press, 2002).

⁶ Paul D. Mandel, *The Origins of Midrash: From Text to Teaching*; JSJSup 180 (Leiden: Brill, 2017).

⁷ James Barr, *The Semantics of Biblical Language* (Oxford: University Press, 1961), 108.

⁸ Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code*; BJS 83 (Chico, CA: Scholars, 1983), 19.

⁹ George Brooke, 'Peshar and Midrash in Qumran Literature: Issues for Lexicography,' *RevQ* 24 (2009): 79-95, (93).

new meanings? It is important to examine closely the way writers use **דרש** and **מדרש**, and especially the objects, which can denote a clear change of meaning. Instead of trying to fit each occurrence into an overall theory, each text or set of texts will be examined on its own merits and continuity from one work to the next is not assumed.

The two main problems encountered by those who wish to look for midrashic roots in the NT are those of chronology and language.¹⁰ With regards to the first of these, the problem is clear, the NT was written between 50-120 CE (to give a wide range of dates),¹¹ while the midrashic literature is dated much later. The earliest document of rabbinic literature, the Mishnah, is generally dated to 200 CE.¹² The issue therefore for those who argue for links between midrash and the NT is that the midrashim are much later. The issue of language is perhaps simpler. The NT is written in Greek, while the language of the rabbis is either Hebrew or Aramaic. In response to these two issues, this study takes two approaches. The first, which can be deemed a search for the roots of midrash, examines how the verbal form **דרש**, and its cognate noun **מדרש**, are used in various texts. Secondly, the translation of **דרש** in the LXX will be charted, which in turn will lead to a study of the genre of ζήτησις.

While Second Temple Jewish sources are important due to date, this does not mean rabbinic texts should be disregarded as ‘irrelevant because they are late’.

Stances comparable to those found in rabbinic literature are already presupposed in

¹⁰ The problems have been recognised by Jan Joosten and Menahem Kister, ‘The New Testament and Rabbinic Hebrew,’ in *The New Testament and Rabbinic Literature*, ed. by Reimund Bieringer, Florentino García Martínez, Didier Pollefeyt, Peter J. Tomson; JSJSup 136 (Leiden: Brill, 2010), 335-50.

¹¹ Raymond E. Brown, *An Introduction to the New Testament*; AYBRL (New Haven: Yale University Press, 1997), xxviii-xx1.

¹² Günter Stemberger, ‘From Inner-biblical Interpretation to Rabbinic Exegesis,’ in *Languages, Writing Systems and Book Production*; vol 1. of *The New Cambridge History of the Bible*, ed. by James Carleton Paget and Joachim Schaper (Cambridge: University Press, 2013) 190-217, (196).

the NT.¹³ Despite the later date, rabbinic texts can offer illumination for the NT which is not to be found in earlier Hebrew and Aramaic sources. The interpretation of the DSS is likewise indebted to rabbinic literature. In attempting to place the NT in context, it is vital to examine as wide a range of sources as possible, including the earliest document of rabbinic literature, the Mishnah.

Regarding dating, the relationship between rabbinic and Christian interpretation is one of mutual influence.¹⁴ This offers an important counter-argument to those who claim it is not legitimate to use the midrashim to illuminate the scriptural exegesis of New Testament or patristic texts because of the late date of final composition. It is possible to view Jewish and Christian interpretation as part of one continuing process.¹⁵ Günter Stemberger notes that scholars largely agree on the dating of rabbinic texts.¹⁶ The agreement however centres on the final form, and not the earlier units which help create the final text. According to Jacob Neusner, some sayings in the Mishnah are valid evidence for what people were thinking at that period of time and named attributions can be reliable at least for the era if not the individual.¹⁷ Stemberger notes that the reliability of a date applies to the whole work,

¹³ Lutz Doering, 'Sabbath Laws in the NT Gospels,' in *New Testament and Rabbinic Literature*, ed. by Bieringer et al, 207-53, (207).

¹⁴ Philip Alexander, 'Midrash and the Gospels,' in *Synoptic Studies*, ed. by Christopher M. Tuckett; JSOTSup 7 (Sheffield: JSOT, 1984), 1-50; Daniel Boyarin, *Border Lines: The Partition of Judeo-Christianity* (Philadelphia: University of Pennsylvania Press, 2004), esp. 11.

¹⁵ James D. G. Dunn, *The Partings of the Ways Between Christianity and Judaism and Their Significance for the Character of Christianity* (London: SCM, 1991), 251 argues: 'A crucial step forward will be when the Christian scholars recognise that the beginnings of Christianity cannot be understood without reference to Jewish documents and traditions from the late Second Temple period.' See also Susan E. Docherty, *The Use of the Old Testament in Hebrews: A Case Study in Early Jewish Interpretation*; WUNT 260 (Tübingen: Mohr Siebeck, 2009), 94-95.

¹⁶ Günter Stemberger, 'Dating Rabbinic Traditions,' in *New Testament and Rabbinic Literature*, ed. by Bieringer et al, 79-96, (89). In spite of difficulties, scholars normally agree on the chronology – Mishnah, c. 200 CE, Yerushalmi c. 400 CE.

¹⁷ Jacob Neusner, *Judaism: The Evidence of the Mishnah*, 2nd ed. (augmented) (Atlanta: Scholars, 1987), 15. In a later article, Neusner argues that the named sage is representative of a time, so while a named attribution may not be authentic to the individual, who represents their time and serves as a good example for the era concerned ('Evaluating the Attributions of Sayings to Named Sages in the Rabbinic Literature,' *JSJ* 23 [1995]: 93-111).

though it cannot be denied that individual parts and traditions may be older.¹⁸ Stemberger argues that beginning with the Mishnah is the right way.¹⁹ The problem is a too facile belief in the continuity of Judaism before and after 70, which is an antiquated, monolithic conception of Jewish history of the period. While Stemberger is speaking of the issue of halakah in his article, the same principles apply for the understanding of *דרש* and *מדרש*. What has gone before is not lost when new senses are taken on by these words, and *דרש* will never lose the basic meaning of ‘to search’. However, the objects do change, which will be one of the key discoveries in this work.

With regards to the issue of language, the study will first look at the biblical text. The Bible of the early Church was the LXX, and not the MT, or any Hebrew form of Scripture. Firstly, the translation of *דרש* in the LXX will be examined. This will lead to a study of the genre of ζήτησις, which has both linguistic and methodological links to midrash. As scholars have attempted to demonstrate, Greek influences penetrated deeply into almost every sector of early Judaism.²⁰ The only reasonable precedents, though they are by no means definitive, for rabbinic exegesis are found in the Hellenistic world.²¹ While some parallels between Hellenistic exegesis and rabbinic literature have been noted, especially by David Daube,²² the

¹⁸ Günter Stemberger, *Introduction to the Talmud and Midrash*; transl. by Markus Bockmuehl; 2nd ed. (Edinburgh: T & T Clark, 1996), 57-59. David Kraemer, ‘On the reliability of attributions in the Babylonian Talmud,’ *HUCA* 60 (1989): 175-90, argues that it is possible to verify even named attributions in the Babylonian Talmud.

¹⁹ Stemberger, ‘Dating,’ 95.

²⁰ Martin Hengel, *Judaism and Hellenism: Studies in their Encounter in Palestine during the Early Hellenistic Period*; 2 vols.; transl. John Bowden (London: SCM, 1974), 1:133.

²¹ David Kraemer, ‘Local Conditions for Developing Rabbinic Tradition,’ *Hebrew Bible/Old Testament*, vol 1: *The History of Biblical Interpretation*, ed. by Magne Sæbø; 2 vols. (Göttingen: Vandenhoeck & Ruprecht, 1996), 270-77, (276-77).

²² David Daube, *Rabbinic Methods of Interpretation and Hellenistic Rhetoric* (Cincinnati: Hebrew Union College, 1949); *The New Testament and Rabbinic Judaism* (London: University of London Athlone Press, 1956).

genre of ζήτησις has been mostly ignored. This is important when examining how the term has been used in the NT, notably in Acts. Indeed, the debate at the Council of Jerusalem (Acts 15.1-21), which is central to Acts, is described as a ζήτησις (Acts 15.2, 7); it will be argued that this ζήτησις is a halakic debate on whether Gentile Christians are bound to adhere to the law of Moses, and how any such relationship is to be regulated.

A key part of the study is determining when פירוש carries the sense of the interpretation of a text. Analysis of the various texts indicates that the process is somewhat fluid. While already in the DSS and Ben Sira, it can be argued with confidence that פירוש is used with the sense of textual interpretation, even as late as the Mishnah it has still not taken on the exclusive meaning of scriptural interpretation with the goal of producing halakah. Alongside the textual-interpretational model, the legal-instructional model of midrash needs to be considered. Some occurrences of פירוש and מדרש may be explained as legal instruction. Indeed, it may be legitimate to argue that it is this sense which Luke has in mind when he uses the term ζήτησις in Acts, where it refers to a discussion of Jewish law, and the related ζήτημα refers to questions on the law of Moses. This is especially significant as the terms are used with relation to the discussion at the Council of Jerusalem, which regulates Gentile relationship with the law. Such a conclusion would indicate even closer links between the genres of midrash and ζήτησις than previously supposed.

Secondly, the study will focus on the use of interpretation of Scripture as a means of divine revelation, replacing direct or prophetic revelations. The history of the use of פירוש provides key insights in this regard. Already in post-exilic writings of Scripture, there is a trend of the written word becoming a significant means of

revelation (Ezek 3.1-11; Ezra 7.10; Pss 1, 19, 119). The search for the ‘hidden things’ (נסתרות – Deut 29.28) suggests that the words of Scripture were not enough on their own and required interpretation in order to more fully discern the will of God. The decline of ‘classical’ prophecy and new form of special revelation developed.²³ This will be explored in more detail, especially in the study of שרר in the Tanak.

The aim of this dissertation is to discover whether there are roots of midrash in the NT, specifically Acts. This is not to say that these texts are midrash, or even ‘midrashic,’ but to examine whether Luke is using techniques familiar from rabbinic literature to (re)interpret the Tanak. The primary interest is not Jesus and the disciples’ historical stance, but how the topic is represented in relevant texts. By taking the Tanak, DSS, Ben Sira and the Mishnah into consideration, and widening the net to include the LXX, and Greek literature (including that of Hellenistic Jews Demetrius and Philo), this work situates the NT within a wider milieu, taking into account what has come before and what came to complete form later. A closer study of the use of שרר in Ben Sira underlines its importance for a deeper understanding of the history of midrash. An examination of the genre of ζήτησις sheds further light on the Hellenistic background of the NT. Taking both Hebrew and Greek sources into account allows for a more thorough investigation of the background of the NT and a description of some of the ways in which Luke uses the Tanak, and discusses Jewish law.

²³ Markus N. A. Bockmuehl, *Revelation and Mystery*; WUNT 2/36 (Tübingen: Mohr Siebeck, 1990), 14; Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985), 128.

1.1 Methodology

Although this study takes a new approach to the question of midrash and the NT, this does not serve to undermine or replace much excellent research into this issue. No full scale and comprehensive analysis of all features of Second Temple Jewish literature will be attempted here. It is difficult to speak of common features to all the compositions, and each text needs to be described on its own merits. In particular, focus will fall on texts which use מדרש with the sense of interpretation of a text or with a legal use in view, beginning with the Tanak, which will set a standard definition.

1.1.1 Methodological Approach

George Brooke²⁴ notes some of the key methodological issues for the understanding of midrash, asking whether מדרש is best understood in the light of earlier traditions read forward, in relation to contemporary evidence, or in terms of later materials read backwards. The major characteristic of the discussion has to do with the appropriate use of diachronic data, discussion that has the determination of relevance as a significant part of its profile. The primary concern is to determine when a semantic shift occurs, and a word takes on new meaning(s). The answer must come through examining the context of the text and determining firstly what a word or phrase means within a certain text, before moving to compare with other texts, especially those at a distance of time, location, worldview, and language.²⁵ When comparing sources,

²⁴ Brooke, 'Peshar,' 88.

²⁵ Meir Malul, *The Comparative Method in ANE and Biblical Legal Studies* (Neukirchen-Vluyn: Verlag Bitzon and Bercher Kelielaer, 1990), 42.

those closer in time take precedence.²⁶ While a linear development is not assumed, it allows an overview to develop.²⁷ When the words **דרש** and **מדרש** acquire new meanings, they do not always lose the old ones, so that in the same text, or set of texts, **דרש** can mean simply to seek or search, but also study or biblical interpretation.

It is essential to combine both diachronic and synchronic studies in this study. One of the advantages of a diachronic approach is that it is possible, to a degree, to date the DSS.²⁸ Synchronic, how language exists at one point in time, is also essential to the discussion, since it is necessary to examine how the term **דרש** is used in each text, or group of texts, in order to establish fully its semantic range. Good diachronic analysis will fully engage with a synchronic analysis at each point in order to fully establish the true range of meaning of any semantic term. Such an approach is of particular relevance to the study of **דרש** in the DSS, which demonstrates that while the verbal form in particular can retain the simple meaning of ‘to search’, it also allows a sense of ‘to interpret’, specifically with the biblical text as an object.²⁹

²⁶ Shemaryahu Talmon, ‘The “Comparative Method” in Biblical Interpretation – Principles and Problems,’ in *Congress Volume Göttingen, 1977*, ed. by John Emerton; VTSup 29 (Leiden: Brill, 2014), 320-56, (325).

²⁷ Schiffman, *Sectarian*, 19.

²⁸ Jan Joosten, ‘La vérité philologique dans les débats sur la datation des textes bibliques,’ in *Vérité(s) philologique(s): Etudes sur les notions de vérité et de fausseté en matière de philologie*, ed. by P. Hummel and F. Gabriel (Paris: Philologicum, 2008), 19-29.

²⁹ Jan Joosten, ‘Imperative Clauses Containing a Temporal Phrase and the Study of Diachronic Syntax in Ancient Hebrew,’ in *Hebrew in the Second Temple Period: The Hebrew of the Dead Sea Scrolls and Other Contemporary Sources*, ed. by Steven E. Fassberg, Moshe Bar-Asher, and Ruth A. Clements; STDJ 108 (Leiden: Brill, 2013), 117-131, (117). In this study, Joosten contrasts a chronological approach with a study of dialectal variety, with the former, diachronic research, seeking to relate changes in the language to specific periods of history, while the study of dialectal variety leads one to realise that earlier and later forms of expression may continue side by side. While a dialectical approach may have relevance in other studies, dialect does not explain changes in the meaning of **דרש**.

To isolate words is artificial and unsatisfactory, yet justifiable and necessary.³⁰ Certain pitfalls need to be avoided, as to pay attention to a word often leads to an exaggerated estimate of etymological studies; there is a danger of ‘illegitimate totality transfer,’³¹ thus it is important to note that one instance of a word does not bear all meanings possible for that word, while recognising small differences in the way a word is used. This study does not intend to overstretch the meaning of words, but to indicate the possible significance in a certain choice of word, and to open the possibilities of meaning in שׂרַר, מְרַר, ζήτησις, and ζήτημα. In particular, שׂרַר is isolated in order to come to a deeper understanding of the word and its cognate מְרַר, particularly how they were understood by authors of texts. The aim is to arrive at the space from which NT authors work, placing their work in the wider context of first century Judaism. It will become clear that there is a certain fluidity of meaning, especially for שׂרַר, which, while it never loses the base meaning of ‘seeking,’ can refer to study and biblical interpretation.

In seeking to describe the use of words in certain texts, this study will examine how these words are used in context, with a particular focus on objects. As such, it will ask what meaning is possible for the word in context, and whether a ‘new’ meaning is an isolated case, or whether it can be supported from a second (or additional) source.³² One of the issues while considering the LXX is that legal terms and concepts may already have undergone a shift through translation from Hebrew to Greek, which in turn may or may not have had an impact on Jewish writings in Greek

³⁰ Moisés Silva, *Biblical Words and Their Meaning: An Introduction to Lexical Semantics* (Grand Rapids: Zondervan, 1983), 11.

³¹ Silva, *Biblical Words*, 25.

³² James Barr, *Comparative Philology and the Text of the Old Testament* (Oxford: Clarendon, 1968), 288-89.

dealing with legal issues.³³ There is a challenge in examining such a large number of texts, which differ in time, literary purpose, and nature. Care will be taken to avoid what may be seen as an attempt to force all instances of the words **דרש** and **מדרש** into one set of definitions, instead of assuming that a variety of meanings co-existed. All instances of words that seem similar are not always similar, deriving from the same semantic field. It is equally true that instances of a single word that bear similarities, but are nuanced, are not necessarily different from each other regarding their semantic base.³⁴ The challenge is to explain how one meaning evolved over time and space into other meanings of the same word. It is possible in many instances to map out similarities and variations of a phenomenon according to logical principles of development. The key aspect remains examining words in the context in which they are found, that is, in a particular document, or set of documents. This remains the best way to decide if a semantic shift has occurred.

1.2 Literature review

The purpose of this review of literature is to gain a general perspective of the field of research into midrash and the NT. The subject matter of this thesis is wide-ranging, including a variety of texts in both Hebrew and Greek, situating the NT works in the wider context of Second Temple literature, noting how authors such as Ben Sira, Demetrius, Philo, and the authors behind the DSS and the Mishnah have used the terms **דרש** and **מדרש**, and their Greek equivalents, particularly **ζήτησις**. The

³³ Lutz Doering, 'Parallels without Parallelomania,' in *Rabbinic Perspectives: Rabbinic Literature and the DSS. Proceedings of the 8th International Symposium of the Orion Center for the Study of the DSS and Associated Literature, 7-9 January, 2003*, ed. by Steven D. Fraade, Aharon Shemesh, and Ruth A. Clements; STDJ 62 (Leiden: Brill, 2006), 13-42, (27).

³⁴ Mandel, *Origins*, 6.

material under consideration being so wide-ranging, no other scholar has directly engaged in the same process. While this approach is innovative, it takes its initiative from a number of sources. As a consequence, the review of literature will examine a number of issues: the traditional historical approach to midrash; the legal-instructional approach to midrash (including the comprehensive analysis of the term מדרש by Paul Mandel); midrash as a literary genre; midrash and the NT; and ζήτησις in the NT, with a particular focus on the work of George Parsenios.

While scholars may disagree about many elements of rabbinic midrash, its hermeneutical content – the exegesis of individual passages of Scripture, usually exceeding simple explanations of the text – meets a scholarly consensus.³⁵ Most modern scholars assume a connection between textual explication and the role and function of scribes in general and Ezra in particular.³⁶ One issue which can make scholarly discussion of midrash tough to follow is that scholars are interested in

³⁵ The studies listed below view midrash as a close relative of modes of interpretation in which authorial intention is either irrelevant or impossible to determine, and, because of this, the reader has the power to create meaning in his or her reading: Susan A. Handelman, *The Slayers of Moses: The Emergence of Rabbinic Interpretation in Modern Literary Theory* (Albany: State University of New York Press, 1982); Daniel Boyarin, *Intertextuality and the Reading of Midrash* (Bloomington: Indiana University Press, 1990). See also Philip S. Alexander, 'Quid Athenis et Hierosolymis? Rabbinic Midrash and Hermeneutics in the Graeco-Roman World,' in *A Tribute to Géza Vermès: Essays on Jewish and Christian Literature and History*, ed. by Philip R. Davies and Richard T. White; JSOTSup 100 (Sheffield: JSOT, 1990), 101-24; Gerald L. Bruns, 'The Hermeneutics of Midrash,' in *The Book and the Text: The Bible and Literary Theory*, ed. by Regina M. Schartz (Cambridge, Mass: Blackwell, 1990), 189-213; David Stern, *Midrash and Theory: Ancient Jewish Exegesis and Contemporary Literary Studies* (Evanston: Northwest University, 1996), especially, 15-38.

³⁶ See James L. Kugel, 'The Rise of the Interpreter,' in *Studies in Ancient Midrash*, ed. by James L. Kugel (Cambridge, Mass: Harvard University Center for Jewish Studies, 2001), 6-7; Michael A. Fishbane, 'From Scribalism to Rabbinism: Perspectives on the Emergence of Classical Judaism,' in *Garments of Torah: Essays in Biblical Hermeneutics*, ed. by Michael A. Fishbane (Bloomington: Indiana University Press, 1989), 439-56; Fishbane, *Biblical*, 83-84 'the centrality of the priest-scribe (Ezra) at the beginning of the restoration period – one who was always a master exegete and the leader of the exegetes – should not pass unnoticed in its pivotal and symbolic significance for later, more fully documented trends [...] it has been acutely noticed that this early hermeneutical activity of the ancient Jewish bookmen developed from their precise textual knowledge of Scripture'; David Weiss Halivni, *Midrash, Mishnah, and Gemara: The Jewish Predilection for Justified Law* (Cambridge, Mass: Harvard University Press, 1986) 18-19; Moshe Idel, 'Allegory and Divine Names in Ecstatic Kabbalah,' in *Interpretation and Allegory: Antiquity to Modern Period*, ed. by Jon Whitman (Leiden: Brill, 2000), 321 'the increasing centrality of the sacred book in Judaism during the Second Temple period brought to the forefront a new class of intellectual, the *soferim*'; Ellis Rivkin, 'Scribes, Pharisees, Lawyers, Hypocrites: A Study in Synonymity,' *HUCA* 49 (1978): 135-142, (139-40) notes the development of the scribe as copyist, secretary, scholar and intellectual, and finally 'devotee to the Law'.

different features of the overall problem. Amongst those who seek to define midrash, Roger Le Déaut argues ‘the term midrash expresses the conviction that the ultimate answer is to be found in searching the Scriptures where it will be revealed to whoever knows how to search,’³⁷ while Gary Porton argues midrash needs to be closely linked to and cite the biblical text,³⁸ and Géza Vermès defines midrash as ‘study and exposition of the written word in the school and synagogue.’³⁹ This results in each scholar defining midrash on their own terms, before applying that definition to both midrashic and NT texts. By moving away from this approach, the current study situates both the NT and midrash in the wider milieu of Second Temple Judaism.

A key turning point in the history of research on midrash is the acceptance of the interpretation of Scripture as a means of divine revelation. Markus Bockmuehl (who provides an overview of the field) notes the trend towards accepting the received, written word as a significant means of revelation, tracing its history in Ezekiel, Ezra, and the Psalms. According to Bockmuehl, exegesis can be a search for what is hidden in the law (Ps 119.18).⁴⁰ Prophecy was replaced by the scribe’s study and interpretation of hidden writings. In the Tanak, seeking wisdom was encouraged. Ben Sira also focuses on the importance of the law, as a source of inquiry. For Bockmuehl, Ben Sira’s view of revelation is more obviously Torah-centred, since he localises a proper revelation of divine secrets in a qualified and inspired exposition of the law.⁴¹ Bockmuehl notes that Ben Sira is an important bridge between Palestinian and Diaspora Judaism. For the rabbis, the Torah is the sole locus of revelation (both Written and Oral Torah). Bockmuehl notes that the rabbis have a cautious attitude

³⁷ Roger Le Déaut, ‘A propos d’une définition de Midrash,’ *Biblica* 50 (1969): 395-413, (407).

³⁸ Gary Porton, ‘Defining Midrash,’ in *The Study of Ancient Judaism*, ed. by Jacob Neusner (New York: KTAV, 1981), 55-92, (62).

³⁹ Géza Vermès, *Post-Biblical Jewish Studies* (Leiden: Brill, 1975), 46.

⁴⁰ Bockmuehl, *Revelation*, 14.

⁴¹ Bockmuehl, *Revelation*, 61.

towards the pursuit of divine mystery that follows Ben Sira in allowing only the most qualified to engage in such study (m. Hag 2.1). The DSS are marked with a rigid compliance with Torah. There is a strong sense the sect have access to the ‘hidden things’. Torah is opened up and revealed to the searchers of the will of God (1QS 5.9). In sum, for Bockmuehl, the DSS conceive of new revelation as received by the Teacher of Righteousness and a leading council of priests through a presence of exegesis.⁴² Halakic ‘hidden things’ in the Torah have been disclosed only to the covenant community, and enable it to live according to a full knowledge of the will of God.

Bockmuehl includes works of the Jewish Diaspora in his study, noting that Philo reveals the mystery of the Torah by allegory, which is unlike anything found in Palestinian Judaism. Philo’s exegesis bears general affinities with the Hellenistic practice of Homeric allegory. This shows that the link can be made between Homeric exegesis (ζήτησις) and Torah, though Bockmuehl does not develop this idea in more detail.⁴³ Links to the world of Homeric ζήτησις merit further examination. Bockmuehl has examined many of the texts, which will be studied in this dissertation, giving an overview which presents the main themes. Close textual analysis will be undertaken in this work, thus demonstrating how Philo (and Demetrius the Chronographer) follow in the tradition of Homeric critics and defenders, applying the techniques of ζήτησις to the biblical text, before examining the influence of this on Acts.

⁴² Bockmuehl, *Revelation*, 56.

⁴³ Bockmuehl, *Revelation*, 79.

1.2.1 Traditional-historical approach to midrash: Renée Bloch; Géza Vermès

The discoveries at Qumran reignited an interest in the field of Jewish studies. In this climate Renée Bloch proposed a new way of treating midrash, which she understood as a set of attitudes and a process that resulted in various interpretations of Scripture with related purposes.⁴⁴ In 'Midrash,' Bloch describes the characteristics of midrash: firstly, a point of departure is Scripture – reflections or meditation on the Bible. Secondly, homiletically, midrash emerges from a liturgical reading of Torah. Thirdly, punctilious analysis of the text and illuminating obscurities. Every effort is made to explain the Bible from the Bible. Fourthly, the biblical message is adapted to contemporary needs. Fifthly, midrash either tries to discover basic principles inherent in legal sections with the aim of solving problems not dealt with in Scripture (halakah), or sets out to find the true significance of events mentioned in narrative sections of the Pentateuch (haggadah). Bloch's application of the methods of historical criticism to the field of midrash led to her insistence on the need to examine the genre of midrash, in addition to midrashic interpretations of individual passages from the time of later biblical texts.⁴⁵

Bloch's ideas were taken up by, among others, Roger Le Déaut,⁴⁶ Géza Vermès,⁴⁷ and James A. Sanders.⁴⁸ Beginning with the premise that midrash relates to a text and situation of interpretation, midrashic comments may be stimulated by

⁴⁴ Bloch's article, 'Midrash,' presents the most complete synopsis of her argument.

⁴⁵ Renée Bloch, 'Note Méthodologique pour l'étude de la littérature rabbinique,' *RSR* 43 (1955): 194-227.

⁴⁶ Le Déaut, 'A propos.'

⁴⁷ Géza Vermès, 'Bible and Midrash: Early Old Testament Exegesis,' in *From the Beginnings to Rome*; vol. 1 of *The Cambridge History of the Bible*, ed. by Peter R. Ackroyd and C. F. Evans (Cambridge: University Press, 1970), 199-231; Géza Vermès, *Scripture and Tradition in Judaism: Haggadic Studies*; 2nd rev. ed. (Leiden: Brill, 1983).

⁴⁸ See James A. Sanders, 'Hermeneutics,' in *IDBSup* 5: 402-07; 'From Isaiah 61 to Luke 4,' in *New Testament*; vol. 1 of *Christianity, Judaism, and other Greco-Roman Cults: Essays for Morton Smith at Sixty*; ed. by Jacob Neusner (Leiden: Brill, 1976); *Canon and Community: A Guide to Canonical Criticism*; Guides to Biblical Scholarship (Philadelphia: Fortress, 1984); James A. Sanders, *From Sacred Story to Sacred Text* (Philadelphia: Fortress, 1987), 20-21.

difficulties and peculiarities of text, or by interests, questions, and the needs of the audience. Vermès, who subscribes to the same definition as Bloch, argues that Bloch first determines the meaning of מדרש and midrash in the Bible and rabbinic literature, before describing the characteristics of midrash.⁴⁹ Vermès sought to trace the development of exegetical traditions, seeing the beginnings of midrash in post-exilic biblical texts. Vermès argues that the earliest traces of post-biblical haggadah were found in explanatory glosses to the biblical text, before a great period of creative activity in the fourth or third century BCE.⁵⁰ The primary purpose of haggadah was to fuse Scripture with life, an argument which follows on from Bloch's description of midrash.

Bloch's work was pioneering, and Vermès followed in her footsteps and demonstrated how the development of some exegetical traditions may be plotted. Problems remain with the dating of some sources (as noted above in the section on methodology). Additionally, questions remain as to what exactly Bloch was describing, with her comment that critical editions were lacking suggesting that she was not referring to Tannaitic midrashim, but later homiletical midrashim.⁵¹ This is not to distract from some important advances. The emphasis placed by Bloch and Vermès on the fundamental importance of the scriptural text is widely shared, but it does not take into consideration the role of extra-biblical factors – for example, historical circumstances, and the development of formation of theological ideas. Furthermore, Bloch's insistence on the synagogue setting is not proven, with the real possibility of midrash originating in a school setting. This matter will be discussed in the chapter on Ben Sira.

⁴⁹ Vermès, *Scripture*, 7.

⁵⁰ Vermès, *Scripture*, 228.

⁵¹ Bloch, 'Note,' 202, 203; see E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (London: SCM 1977), 26.

1.2.2 The Legal-instructional model: Johann Maier and Paul Mandel

Some scholars argue that midrash is a much later development and that דרש only takes on the sense of deriving law from Scripture at a much later stage.

Johann Maier argues that there was no halakah at Qumran, principally due to the absence of the word in the Scrolls.⁵² While this argument is not infallible – halakah could after all be in its fledgling stage and not yet have received a name, the argument requires a response. Maier builds on the absence of the word to deny that the ‘Seekers After Smooth Things’ (דורשי החלקות) are the Pharisees. As he correctly observes, the word ‘halakah’ would have to be readily applicable to the Pharisees in order for the pun to work. This is doubtless correct, though it could also be the case that if the word were intimately connected to the Pharisees, against whom the *yahad* raged, they would be loath to use the same word with reference to their own laws. Maier supports his position by arguing that the translators of the Bible into Greek did not use verbs for interpretive procedures in translating דרש, meaning that the sense in the Hebrew was not that of interpretation.⁵³ These translations are not unexpected however, as will be discussed in the chapter on the Tanak, with דרש never losing its core sense of ‘to search’.

Paul Mandel appears to agree with Maier, arguing that דרש had a non-textual connotation in the Second Temple period, and related more to instruction in laws than interpretation of the Bible.⁵⁴ Mandel contends that while the later rabbinic texts of the Amoraic period use דרש and מדרש in the context of scriptural exegesis, in earlier

⁵² Johann Maier, ‘Early Jewish Biblical Interpretation in the Qumran Literature,’ in Sæbø, *Hebrew Bible*, 1:108-20.

⁵³ Maier, ‘Early,’ 115.

⁵⁴ Mandel, *Origins*.

literature of the Second Temple period, including most of the Tannaitic passages, the word **דרש** does not have a textual-interpretive meaning.⁵⁵ Rather, according to Mandel, it refers to public exposition or teaching of instructions, usually laws, regulations and ethical teachings. Therefore, though the word **מדרש** has come to be associated with interpretation of a text – mostly concerning the text of the Bible – Mandel claims that it had no textual implications during this period, and that only at the end of the Tannaitic period did the term **מדרש** begin to denote a type of interpretation of text, and the scriptural text in particular. He does not deny that the Bible and its interpretation served as a basis for Jewish scholarship; simply that the terms did not imply textual interpretation during these formal periods.

Mandel poses three questions: What is the content or method denoted by the verb **דרש** and its cognate noun **מדרש** in the rabbinic corpus, and how are these related to the interpretation of Scripture? What is the relationship of the meaning of this word in rabbinic contexts in comparison to the meaning attested in previous corpora of Jewish literature? Can a semantic development be traced from earlier to later usages, and what can be learned from this development? In an earlier article, Mandel investigates the origin of the term **מדרש**.⁵⁶ He argues that, while it has come primarily to be associated with scriptural exegesis, its origins lie within the purview of law. By analysing the terms *sofer* and **דרש** in light of Eastern, Mesopotamian sources, he maintains that a legal-instructional model, rather than a textual-hermeneutical model, is better suited for understanding the origin of **מדרש**. For Mandel, Ezra, as priest and *sofer*, embodies the role of legal consultant, who was

⁵⁵ Mandel, *Origins*.

⁵⁶ Paul Mandel, 'The Origins of *Midrash* in the Second Temple Period,' in *Current Trends in the Study of Midrash*, ed. by Carol Bakhos (Leiden: Brill, 2006), 9-24.

responsible for the enactment and instruction of law. Indeed, the targumic *sofer*, as well as the Second Temple Greek *grammateus*, Mandel avers, testify to the activity of a teacher or interpreter of the law, the term deriving ultimately from the ancient Mesopotamian diviner of celestial phenomena known as *tupšarru* (scribe). The activity of these scribes is denoted in Hebrew by the term דָּרַשׁ הַתּוֹרָה, found already in the Qumran texts with the meaning ‘expounder of the Law’. Thus, Mandel finds that, at this early stage, the hermeneutic aspect is absent, and it is especially in Amoraic midrashim that the flourishing of a creative, hermeneutical approach to the biblical text is detected.

Mandel highlights the Mesopotamian influence of the use of the term דָּרַשׁ in the Tanak, with Ezra 7.10 indicating a semantic shift from the oracular ‘search’ for God’s laws to that of instruction of the laws. Mandel finds a parallel in Mesopotamian divinatory language and techniques of the Neo-Assyrian period.⁵⁷ Mandel finds the lexical parallel compelling, positing that when Jewish scholars came in contact with the Mesopotamian *milieu* and scholarly *maš’altu*, the Hebrew term דָּרַשׁ underwent a semantic shift away from oracular ‘inquiry’ and ‘investigation,’ and toward ‘teaching’ and ‘interpretation’ of the divine will, including exposition of the divine text *and* traditional knowledge.⁵⁸ Thus, for Mandel, דָּרַשׁ refers to instructional, not textual activity.⁵⁹ In reaching this conclusion, Mandel takes the sense of דָּרַשׁ further from the core sense of searching which is present in the vast majority of occurrences in biblical Hebrew.

⁵⁷ Mandel, *Origins*, p. 78. In support Mandel cites Uri Gabbay, ‘Akkadian Commentaries from Ancient Mesopotamia and Their Relation to Early Hebrew Exegesis,’ *DSD* 19 (2012): 267-312; Eckart Frahm, *Babylonian and Assyrian Text Commentaries: Origins of Interpretation* (Münster: Ugarit, 2011).

⁵⁸ Mandel, *Origins*, 79. See Gabbay, ‘Akkadian,’ 310.

⁵⁹ Mandel, *Origins*, 84.

With relation to the DSS, for Mandel, an analysis of the passages in their literary context points to the activity of **מִדְרַשׁ הַתּוֹרָה**, and that of the Interpreter of the Law (IL), as denoting teachings of the law and teacher of the law respectively. Thus, they can be understood in the legal-instructional model.⁶⁰ He recognises that his argument is against the consensus opinion.⁶¹ According to Mandel, there is no direct relationship between the *instruction* provided by a member of the community (IL) and the prescribed *study* by the ‘Many’ described in 1QS 6.6b-8, where the members of the community at large are expected to spend a third of the night in collective reading, investigation of laws, and prayer. For his theory to be consistent, Mandel must adequately explain the distinction of object – in this passage, **מִשְׁפָּט** is the object. By translating **דָּרַשׁ** as ‘instruction’ and not ‘interpretation’, Mandel does not quite do enough to explain 1 QS 6.6-8; 8.11-16,⁶² or respond adequately to Steven Fraade, who takes the Qumran community to be a textual, interpretive community, where Torah study and its continuing interpretation by members of the sect provide the *raison d’être* for the sect itself.⁶³ Mandel states that those who argue for the community as a studying community, whose continued interpretation of Scripture leads to ongoing

⁶⁰ Mandel, *Origins*, 88.

⁶¹ Steven D. Fraade, ‘Interpretive Authority in the Studying Community at Qumran,’ *JJS* 44 (1993): 49-69; Fraade, ‘Looking for Legal Midrash at Qumran,’ in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12-14 May, 1996*, ed. by Michael E. Stone and Esther G. Chazon; STDJ 28 (Leiden: Brill, 1998), 59-79; Fraade, ‘Looking for Legal Midrash at Qumran,’ in *Rabbinic Perspectives*, ed. by Fraade et al, 43-66. For a survey of the issues, see Moshe J. Bernstein and Shlomo A. Koyfman, ‘The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods,’ in *Biblical Interpretation at Qumran*, ed. by Matthias Henze; SDSS (Grand Rapids: Eerdmans, 2005), 61-87. See also Lawrence H. Schiffman, *The Halakhah at Qumran*, SJLA 16 (Leiden: Brill, 1975), 54-60; Michael A. Fishbane, ‘Use, Authority and Interpretation of Mikra at Qumran,’ in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity*, ed. by Martin J. Mulder (Assen: Van Gorcum, 1988), 339-77; Moshe J. Bernstein, ‘The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,’ in *Reading 4QMMT: New Perspectives on Qumran Law and History*, ed. by John Kampen and Moshe J. Bernstein (Atlanta: Scholars, 1996), 29-51; Timothy H. Lim, ‘Authoritative Scripture and the Dead Sea Scrolls,’ in *The Oxford Handbook of the Dead Sea Scrolls*, ed. by Timothy H. Lim and John J. Collins (Oxford: University Press, 2010), 303-22; Bilha Nitzan, ‘The Continuity of Biblical Interpretation in the Qumran Scrolls and Rabbinic Literature,’ in *Oxford Handbook of the DSS*, 336-50.

⁶² Mandel, *Origins*, 119.

⁶³ Fraade, ‘Interpretive.’

revelatory activity, do so based on passages which include the words **דרש** and **מדרש**, reading them as terms which imply scriptural textual interpretation.⁶⁴ In contrast, Mandel reads these terms with a sense of instruction. In this study, it will be argued, against Mandel, that the former reading is correct, supported by an analysis of the overall use of **דרש** and **מדרש** in the DSS. In an all too brief discussion of **דורשי חלקות**, Mandel identifies this group with the Pharisees because they were ‘teachers of empty falsehoods’ (see also, 4Q163 23 ii 10; 4Q169 3-4 i.2, 7; 3-4 ii.2, 4; iii.3, 7).⁶⁵ Any insight into the enemies of the sect would also shed light on the sect’s self-understanding, especially with relation to interpretation of Scripture or Torah. Mandel does admit that laws reflect interpretations of the biblical text, which parallel methods of exegesis found in later rabbinic discussions, or contrast with rabbinic interpretations of Scripture, with such interpretation also extending to the *peshet*. Yet, even if the methods of interpretation remain shrouded in mystery, that the community at Qumran did interpret the biblical text, remains at least highly probable, as will be demonstrated in this work.

In bringing his findings to the occurrences of **דרש** in the Mishnah, Mandel finds that there is no indication of any scriptural exegesis in passages such as Yoma 1.6; Sanh. 11.2; and Hag. 2.1.⁶⁶ Mandel argues, reviewing the rise of textual commentary in the rabbinic elite in a wider context, that the term **דרש** denoted the instructional role of the Sage in early rabbinic periods, and then transformed, through the development of law and text, within the rabbinic academic milieu.⁶⁷ However, in

⁶⁴ Mandel, *Origins*, 123.

⁶⁵ Mandel, *Origins*, 122-23.

⁶⁶ Mandel, *Origins*, 222.

⁶⁷ Mandel, *Origins*, 211.

m. Hag 2.1, there is clear reference to certain passages of Scripture being unsuitable objects of interpretation, while in m. Yoma 1.6 and m. Sanh. 11.2, as many scholars agree, the interpretation of Scripture is inferred as the correct context.⁶⁸ Moreover, the private setting envisaged by the Mishnah, does not fully engage with Mandel's definition of שרר as public instruction. Similarly, in m. 'Abot 1.17 Mandel states that this deals not with the study of Torah but with its instruction,⁶⁹ yet in the wider context of the Mishnah, 'exposition' or 'interpretation' are surely better translations.

One weakness is Mandel's failure to engage with the evidence from Ben Sira – who is the one who extols the virtues of the scribes (Sir 38.34-39.11).⁷⁰ Those who carry the title of 'scribe' function as advisors and teachers of tradition, with no explicit connection to a written text. Mandel cites Sir 38.24-39.11, which describes the scribe as one who studies the Law of the Most High. He concludes that 'Ben Sira's *sofer* is not one who is involved with texts.'⁷¹ This is his only comment on Ben Sira (using the Greek text, as this passage is only extant in Greek), which ignores all Ben Sira says about the law. This study will examine passages from Ben Sira in some detail, particularly Ben Sira 3.21-24, and Ben Sira 32.15, in which, it will be argued, Ben Sira encourages students to refrain from studying mystical and apocalyptic works and to focus on studying the Torah.

While much of Mandel's analysis of the links to Mesopotamian culture has merit and brings a new light to the discussion, his interpretation of the evidence from Qumran means that he fails to take account of the new senses which שרר had begun

⁶⁸ Mandel, *Origins*, 223, n. 5. Mandel argues that instruction to a group of three is preferable to interpreting the passage as communal study among a group of three, which stretches the interpretation too far.

⁶⁹ Mandel, 'Origins,' 29.

⁷⁰ Sirach (Sir) refers to the Greek text, while Ben Sira (Ben S) refers to the Hebrew.

⁷¹ Mandel, *Origins*, 68.

to take on in the DSS, and the strong links to the interpretation of Scripture which **דרש** had in the Mishnah. In so doing, the overall merit of his study, notably the significance of the Mesopotamian influence which he highlights, is undermined, as he looks for a legal-instructional sense in place of reading in context. By reading the texts in context, it becomes apparent that **דרש** can carry the sense of exegesis of a text. This study will outline the various senses of **דרש** and **מדרש** which appear in those texts, and outline that, while **דרש** never loses its original sense of seeking, its semantic range widens to include searching for the will of God in a text (Torah).

Mandel argues that the core meaning of **דרש** and **מדרש** results from a ‘legal-instructional’ mode of discourse and not a ‘textual-hermeneutical’ one. In particular, it is the deferment of the ‘rise of textual exegesis’ to a later era that provides a new insight into previously opaque passages and items. Mandel’s study relocates to the end of the Tannaitic period the origin of the use of the term **מדרש** as relating specifically to scriptural interpretation. Prior to that time, leaders of the Jewish people seem not to have ascribed a specific term to textual interpretation.⁷² While Mandel is partly right, it needs to be admitted that **מדרש** and **דרש** can carry the sense of textual interpretation in Ben Sira, the DSS, and especially the Mishnah. Mandel argues that **מדרש** did not refer to the interpretation of Scripture, or any textual interpretation, before the end of the Tannaitic period.⁷³ The limitation of their use to legal-instructional contexts shifts the balance of evidence for an all-encompassing ‘age of interpretation’ and raises questions for the location of the interpretation of Scripture during this period, which may have taken place outside the milieu of classes of the

⁷² Mandel, *Origins*, 7.

⁷³ Mandel, *Origins*, 294.

Pharisees, *soferim* and Sages. The weakness in this argument is that it can be undermined by one instance of פירוש meaning interpretation of Scripture. This study will uncover more than one such instance. As such, while the legal-instructional sense of פירוש cannot be ruled out, the sense of פירוש as scriptural interpretation must certainly be ruled in.

1.2.3 Midrash as Literary Genre: Philip Alexander; Michael Fishbane

Philip Alexander attempts to come to a precise definition of the term ‘midrash,’ by distinguishing both form and method. According to Alexander, midrash stands at the heart of Judaism and is key to its understanding.⁷⁴ Alexander offers four definitions: 1) an interpretation of Scripture, whether a single verse (4QFlor 1.14), or a whole biblical book (Gen R); or, more generally, an undefined body of traditional commentary on Torah (CD 20.6; M. Nedarim 4.7); 2) the activity of studying Scripture (1QS 8.15; M. Pirke Avot 1.17); 3) legal enquiry or court of enquiry (1QS 6.23; 8.26); and 4) a narrative study or treatise (2 Chr 13.22; 24.27).⁷⁵ Midrash aims to explain the obscurities, difficulties and apparent errors of the biblical text: that is, to remove seeming contradictions; to draw out deeper meanings; to apply Scripture to the heart and conscience of the Jew; and, most importantly, to validate tradition in terms of Scripture.⁷⁶ Midrash is also linked to study of the law, which Alexander describes as the highest branch of Jewish learning.⁷⁷ This legal study has the goal of revealing the will of God, the chief means available for so doing being study of the Torah as given to Moses. While the Targums, for example, may have midrashic

⁷⁴ Philip Alexander, *Textual Sources for the Study of Judaism* (Totowa, NJ: Barnes & Noble, 1984), 1.

⁷⁵ Philip Alexander, ‘Midrash,’ in *IDB* (London: SCM, 1990), 1:452-59, (452).

⁷⁶ Alexander, *Textual*, 3.

⁷⁷ Alexander, *Textual*, 11.

elements, their form dictates that they cannot realistically fall under the definition of midrash.

For Alexander, the term ‘midrash’ can be understood in two senses: a process, a method of interpreting Scripture using certain techniques; and the written text which is produced when this hermeneutical approach is applied.⁷⁸ Alexander finds a middle ground, where analysis of each pericope and the tradition it contains can be combined with a consideration of the whole midrashic document. He accepts that both the real hermeneutical question posed by the scriptural text, and the ideological or theological stance of the interpreter contribute to the formation of midrashic exegesis.⁷⁹ Alexander has advanced the study of midrash by seeking to situate it within the wider context of early Jewish biblical interpretation, while paying heed to the important question of principles underlying midrashic exegesis. In response to claims that external factors to the text may result in eisegesis, a charge which may also be laid at the feet of Christian interpreters, midrashic interpreters always emphasise that they are drawing out meanings from the Scripture, and they developed a document of revelation to underpin this position.⁸⁰ Central to this position is the understanding of Scripture as the word of God, and also polyvalent (Pirke ’Abot 5.27). The rabbis held that Scripture is coherent, it being the purpose of the *darshan* to draw out the unity of Scripture; Scripture can contain no errors; and Scripture has no redundancies. Such was the foundation of rabbinic interpretation.

In ‘Midrash and the Gospels,’ Alexander argues that to define midrash the best approach is to play down the etymology and insist on contextual definition. Such an approach would have little idea of the meaning of the term מדרש in Chronicles, Ben

⁷⁸ Alexander, ‘Midrash,’ 453.

⁷⁹ Philip Alexander, ‘Midrash and the Gospels,’ 7.

⁸⁰ Alexander, ‘Midrash,’ 457.

Sira, and the DSS. For Alexander, the correct procedure in the definition of מדרש should be to isolate a corpus of midrashic texts, to examine these texts in order to discover their characteristics, and then to consider the question of whether there are texts outside the corpus which possess the same features.⁸¹ This avoids the problem of allowing any text which shares some familiar features to be called midrash. A focus on form allows for a more narrow definition. Midrash could also be defined by method, an approach which requires an understanding of how it relates to Torah. The rabbinic doctrine of two Torahs allows for some flexibility: Written Torah is fixed, unchanging, and inviolable, while the Oral Torah is open-ended, undefined, and continually evolving. It is responsive to life.⁸² Midrash provides the link between the two, keeping the Oral and Written Torah in constant alignment. This enables the sacred text to be made relevant to changing historical circumstances, which in turn means that there is no need to rewrite or alter the biblical text. Alexander admits that the task of the *darshan* is both exegetical and eisegetical, both drawing out meaning from and reading meaning into Scripture.⁸³ Thus, Scripture can be interpreted by Scripture following the rules of the middot. The starting point can therefore be a problem with the scriptural text, or, equally, an issue in life to which Scripture can provide the resolution.

The key contribution of Philip Alexander has been to narrow the definition of midrash from that which was proposed by Bloch. Seeking to define more precisely midrash as a genre, and literary form, Alexander has limited the number of texts which can rightly be considered midrash, while also categorising other genres of Jewish biblical interpretation, such as rewritten Bible, and pesharim. Identifying key

⁸¹ Alexander, 'Midrash and the Gospels,' 2.

⁸² Alexander, 'Midrash and the Gospels,' 6.

⁸³ Alexander, 'Midrash and the Gospels,' 7.

literary procedures of midrash, without undue focus on the rabbinic middot, allows for more clarity on the definition of midrash and a fuller appreciation of why certain texts are included or excluded from this definition.

Michael Fishbane proposes three broad methodological considerations when dealing with halakic and haggadic exegesis in Jewish exegetical tradition: the use of technical formulae to incorporate explicit quotations; the presence of parallel texts within the MT, or between the MT and its principal versions; and the dense occurrence of terms in biblical passages that become reorganised, transposed and used in a natural, uncomplicated form in later passages.⁸⁴ Fishbane considers factors which influence the origins and development of exegesis: external pressures, for example, historical or social context; and internal issues – the text itself or perceived difficulties within it. He is aware of the need for greater methodological precision into the discussion of what is deliberate inner-biblical exegesis, as opposed to unconscious echoes or use of shared vocabulary.⁸⁵ Fishbane accepts that the trajectory of the historical development of Jewish exegesis from traditions and practices found in the Bible must remain unproven; this is complicated by the composite nature of biblical texts and complex and lengthy transmission history. While it may remain unproven, it is still necessary to endeavour to trace the beginnings of midrash, something Fishbane attempts in his work.

Fishbane closely examines the texts of Ezra and Nehemiah, and argues that Ezra, who returned from exile with a knowledge of ancient laws at the head of a retinue of Levitical interpreters, publicly read and interpreted the Scriptures for the

⁸⁴ Fishbane, *Biblical*, 42-43, 291.

⁸⁵ Fishbane, *Biblical*, 288-89.

people.⁸⁶ In Ezra, the returning ‘community of the exile’ was formed with Torah and its exegesis at its living centre: it was a community which ‘sought YHWH’ (Ezra 6.21); and this, under Ezra’s eyes, meant strictly speaking that they ‘sought the Torah of YHWH’ (7.10). This set them apart from the ‘impurities’ of the local population (6.21).⁸⁷ It was this ability to derive laws from human exegesis which was the key development led by Nehemiah, as it allowed laymen to challenge priestly authority, and ultimately led to the rise of the Pharisees.⁸⁸

Fishbane charts some of the occurrences of שׂרשׁ in the Tanak, with a particular focus on Exod 18.15; Ezra 7.10; and various occurrences in Deuteronomy. While he views the expression ‘to inquire (שׂרשׁ) of the Lord’ in Exod 18.15 as occurring in a mantic context, for Fishbane, Ezra 7.10 is a key verse, where the Torah serves as an object for rational-exegetical inquiry.⁸⁹ For Fishbane, it is hard to conceive exegetical practices of early Jewish bookmen, and ancestral traditions referred to by the Pharisees and others, were not in some ways heirs to exegetical techniques and traditions with roots in ancient Israelite past. Thus, when prophecy ends, it is the *sopherim* who can discern the divine will via scriptural exegesis. Fishbane tracks this development in texts from Qumran and Ben Sira. While Fishbane briefly examines some of the texts from Qumran and two key passages in Ben Sira (3.21-24; 32.15), a more in depth engagement with Ben Sira and the DSS would strengthen his argument.

⁸⁶ Fishbane, *Biblical*, 37, 108-09.

⁸⁷ Fishbane, *Biblical*, 114.

⁸⁸ Fishbane, *Biblical*, 128.

⁸⁹ Fishbane, *Biblical*, 245.

1.2.4 Midrash and the NT: A. T. Hanson; Susan Docherty

One of the primary issues behind the consideration of the NT (especially the Gospels) and midrash is the purpose of the Gospels, which is primarily to tell the story of Jesus, or how his teachings circulated. Thus, any biblical interpretation and imagery is incorporated into the structure of a story, rather than fragmented stories incorporated into the structure of a scriptural one, as is often the case with rabbinic commentary.⁹⁰ That being said, even if NT texts cannot fall under the strict definition of midrash, their use of rabbinic techniques can still be analysed.

Anthony Tyrell Hanson dedicated a series of works to the issue of the NT interpretation of Scripture, and how NT authors use the OT in their work. In *The New Testament Interpretation of Scripture*, he highlights the christocentric suppositions with which NT writers approached Scripture, which they believed followed a train of interpretation which had always accompanied Scripture.⁹¹ Their approach was similar to other groups, but with the goal of mining the significance of Jesus from the text, which differed from that of other groups within Judaism.⁹² Each group directly engages with the meaning of the scriptural text, and has its own perspective from which it reads.

In *The Living Utterances of God*,⁹³ Hanson argues that the Gospel of John was soaked in Scripture, and the results of John's searches are placed in the mouth of Jesus. The Jews search the Scriptures in vain as they do not understand that Christ is

⁹⁰ Steven D. Fraade, *From Tradition to Commentary: Torah and its Interpretation in the Midrash Sifre to Deuteronomy* (Albany: State University of New York Press, 1991), 3.

⁹¹ Anthony Tyrell Hanson, *The New Testament Interpretation of Scripture* (London: SPCK, 1980).

⁹² Hanson, *New Testament*, 14.

⁹³ Anthony Tyrell Hanson, *The Living Utterances of God: The New Testament Exegesis of the Old* (London: Darton, Longman and Todd, 1983).

the key to Scripture.⁹⁴ Christians were not interested in using Scripture to provide halakah, according to Hanson, since they did not take the Torah as their guide in life, and therefore did not need a halakah. Torah can provide moral guidance, but is never used in a halakic way. Such an argument further distances the evangelists from the rabbis, yet oversimplifies what John and the other evangelists were doing. Their task was two-fold: they searched the Scriptures for ‘proofs’ that Jesus was the Messiah, while also, where relevant, placing halakic utterances on the lips of Jesus. This is more the case for the Synoptics than John, yet John is not free from halakic dispute.

In *The Prophetic Gospel*,⁹⁵ Hanson proposes that John may be writing a midrash not on Scripture, but on the person of Jesus, which would of course break the boundary of the definition of midrash, which must be interpretation of a text. He begins by examining some of the interpretation of Scripture in the early passages of the Gospel, stating that Nathaniel was most likely studying Torah under the tree in John 1.48.⁹⁶ Furthermore, John the Baptist is presented as playing the role of an inspired interpreter of biblical prophecy. At this point, Hanson posits that the Fourth Gospel has the appearance of an extended midrash or some kind of targum, while also admitting that the term is not exact.⁹⁷ It is disappointing that Hanson does not pay attention to the discussion (ζήτηση) about purification which takes place between the disciples of John and Jesus. It is this passage which comes closest in John to a halakic dispute, though the actual discussion takes place ‘off stage’.

⁹⁴ Hanson, *Living*, 114.

⁹⁵ Anthony Tyrell Hanson, *The Prophetic Gospel: A Study of John and The Old Testament* (Edinburgh: T & T Clark, 1991).

⁹⁶ Hanson, *Prophetic*, 39.

⁹⁷ Hanson, *Prophetic*, 41.

Following Le Déaut,⁹⁸ Hanson asserts that two features are characteristic of all forms of midrash: starting from Scripture, and making that Scripture contemporary. While this is true, it is a definition which lacks exactness, and is too wide to be truly useful. It is surely too simple to say that NT writers follow midrashic techniques. More must be done to outline these techniques, and such work has been undertaken by Docherty,⁹⁹ following the Goldbergian school, especially the work of Samely.¹⁰⁰ The work of George Parsenios¹⁰¹ assists this discussion, though Hanson has the germs of the ideas in his own work with the idea that John is writing a ‘midrash’ on the person of Jesus. John’s technique of mining the Scriptures for information about Jesus is what both the evangelist and the Johannine Jesus see as the correct interpretation of Scripture. Therefore, when other characters in the Gospel ‘search the Scriptures,’ they do so incorrectly, lacking the understanding that Jesus is the key to the Scriptures.

In ‘John’s Use of Scripture,’ Hanson makes the observation that midrash can be defined as starting from the text of Scripture, and it makes that text contemporary.¹⁰² Hanson argues that Jesus is substituted for Scripture, as it is the person of Jesus and not Scripture who is the subject of investigation in John.¹⁰³ Hanson accepts that this stretches the definition of midrash too far, as it is hard to retain anything of the usual sense of the word if we read it this way. Midrash must be written on Scripture, not a person. It does not throw light on the question of John’s use of Scripture simply to say that his Gospel is a midrash.¹⁰⁴ Ultimately, John’s

⁹⁸ Le Déaut, ‘A propos.’

⁹⁹ Docherty, *Use*.

¹⁰⁰ Alexander Samely, *Rabbinic Interpretation of Scripture in the Mishnah* (Oxford: University Press, 2002).

¹⁰¹ George L. Parsenios, *Rhetoric and Drama in the Johannine Lawsuit Motif*, WUNT 2/258 (Tübingen: Mohr Siebeck, 2010).

¹⁰² Anthony Tyrell Hanson, ‘John’s Use of Scripture,’ in *The Gospels and the Scriptures of Israel*, ed. by Craig A. Evans and W. Richard Stegner; JSOTSup 104 (Sheffield: Academic, 1994), 358-79, (360).

¹⁰³ Parsenios, *Rhetoric*, argues that Jesus is also the focus of an investigation in John, but as the subject of legal ζήτησις.

¹⁰⁴ Hanson, ‘John’s Use,’ 362.

primary aim was not to interpret any scriptural text, rather it was to demonstrate that Jesus was the fulfilment of Scripture.¹⁰⁵

In his work, Hanson has made some very valid points about scriptural interpretation in John, which, when brought together, can lead to some interesting conclusions. However, his definition of midrash as something which starts from Scripture, and makes Scripture contemporary, is too broad to be useful. While Hanson notes that John is steeped in Scripture,¹⁰⁶ this is not enough to allow it to fall under a definition of midrash. This is similar to what the Pharisees, Philo and members of the Qumran community were doing. Furthermore, he has not commented on the one allusion to midrashic discussion, a halakic debate, which takes place in chapter 3, as designated by the word ‘ζήτησις’ (John 3.25), which refers to a debate about purification between the disciples of John and the Jews.

Susan Docherty¹⁰⁷ notes that recent advances in research into rabbinic texts have gone largely unnoticed by NT scholars. The midrashim provide valuable evidence of how another group of Jews approached the task of biblical interpretation. Docherty presents what she sees as critical issues: firstly, how narrowly one should define midrash. Secondly, whether midrash is scriptural exegesis or rabbinic ideology. With respect to the NT, this would ask whether NT authors were reading the OT christologically, attempting to find proofs for their beliefs.¹⁰⁸ Thirdly, whether we consider midrashim as loose collections of sayings or as complete documents, which in turn leads to the question: ‘what view of Scripture would make it possible to find in

¹⁰⁵ Hanson, ‘John’s Use,’ 369.

¹⁰⁶ Hanson, *Living*, 113.

¹⁰⁷ Docherty, *Use*, 83.

¹⁰⁸ Docherty, *Use*, 117.

some texts a reference to Jesus, or to believe that some verses would only be fulfilled in the future?’¹⁰⁹ Finally, one can ask how theories of reading midrash might be of assistance, for example in the field of linguistics, or in Samely’s work on biblical exegesis in the Mishnah.

Docherty concludes that there is much to be learned from a more precise definition of different literary forms and genres of Jewish biblical commentary, and the detailed description of exegetical techniques. Some of the insights and technical vocabulary of linguistics can be applied to the study of scriptural exegesis of the NT. This allows interpretation of NT texts to be informed by midrashic interpretation, in particular the use of the OT in the NT. A deeper understanding of how Scripture was (being) exegeted in Jewish biblical commentary can aid interpretation of NT texts.

1.2.5 ζήτησις in the NT: Meir Gertner; George Parsenios

Few scholars have noted the connections between the Hellenistic genre of ζήτησις and the NT. Among those who have, Meir Gertner and Bart Koet have written articles on the importance of the genre (the latter in particular noting a debt to Leopold Zunz¹¹⁰), while George Parsenios has penned a monograph on ζήτησις in the Gospel of John.

Meir Gertner discusses many of the sections of my study, including noting the link between ζήτησις and the midrashim.¹¹¹ Gertner states that Paul’s ‘questions’ are nothing but Hebrew midrashim, which is the real equivalent of the Greek ζήτησις.¹¹²

¹⁰⁹ Docherty, *Use*, 118.

¹¹⁰ Leopold Zunz, *Die gottesdienstlichen Vorträge der Juden* (Frankfurt am Main: J. Kaufmann, 1892).

¹¹¹ Gertner, ‘Terms.’

¹¹² Gertner, ‘Terms,’ 2.

While recognising the full range of meanings which are attributed to דרש in the Tanak, Gertner rightly, following the critical consensus, designates Ezra 7.10 as a key point in the development of the term, arguing that from this point nothing in the religious and national life of the people could be decided without ‘inquiring of’ the text, and thus midrash was born.¹¹³ Gertner argues that while midrashic interpretation was already practised at that time, it must be assumed that the semantic change in the term’s meaning was the outcome of such practice and not its forerunner.¹¹⁴ There are, for Gertner, four connotations of דרש: inquiring investigation; analytical study; midrashic interpretation; and plain exposition, which represent the notions of analysis and synthesis, or, with Plato, *diairesis* and *sunagoge*, that is, the investigator’s questions, and the answers found by him. These two fundamental procedures in the process of acquiring knowledge were contained in דרש from the beginning of its semantic history.¹¹⁵

Gertner recognises that דרש is also employed in a variety of meanings at Qumran which are similar to the Tanak. However, there is also a semantic development in the sense of midrashic interpretation (notably CD 6.7; 7.18). In addition, the references to דורשי חלקות as false interpreters and מדרש התורה as the way of the Lord, lead to the conclusion that ‘surely studying and teaching the Torah was, in those times of the Qumran community and the Midrash rabbis, nothing else but midrashic interpretation’.¹¹⁶ While the article was written before many scrolls were published, the core texts were available to Gertner and his analysis is sound.

¹¹³ Gertner, ‘Terms,’ 6.

¹¹⁴ Gertner, ‘Terms,’ 7.

¹¹⁵ Gertner, ‘Terms,’ 7.

¹¹⁶ Gertner, ‘Terms,’ 12.

Gertner establishes links between the use of ζητέω and שׂרר – the former being often used to translate the latter in the LXX – while noting that the Greek term was never used to mean interpretation prior to the NT, nor did ζήτησις or ζήτημα have that connotation. Yet, according to Gertner, in some cases where they occur in the NT, they are nothing but the equivalent of the Hebrew מדרש.¹¹⁷ This dissertation will investigate the use of these terms in Acts, noting the importance of ζήτησις and ζήτημα with reference to matters of Jewish law.

Gertner argues that מדרש acquiring the meaning of scriptural interpretation influenced the language of Greek NT writers, who, under the impact of the Hebrew original, gave the Greek noun ζήτησις an additional connotation.¹¹⁸ He notes certain verses in Acts to support his argument, but, surprisingly, neglects to include the occurrences of ζήτησις in Acts 15.2, 7. For Gertner, the importance of these terms in relation to scriptural interpretation is only clear when they are retranslated into מדרש. While the terms do indeed hold significance, it is more important to examine how the term is used within the context of Acts and other NT texts, and to take into consideration the genre of ζήτησις, especially in its sense of to critique a text.

George Parsenios has examined the Gospel of John through the lens of ζήτησις as rhetoric and drama, specifically as a lawsuit motif.¹¹⁹ In this work, Parsenios's basic premise is that the entire life of Jesus becomes a legal contest before the leaders of Israel, and that the pronounced judicial character of John is shaped by

¹¹⁷ Gertner, 'Terms,' 12.

¹¹⁸ Gertner, 'Terms,' 14.

¹¹⁹ Parsenios, *Rhetoric*.

the language and procedures of ancient rhetoric and ancient tragedy.¹²⁰ Parsenios takes one of the senses of ζήτησις, that of legal investigation, the origins of which he attributes to Athens, and seeks to demonstrate how it sheds light on the entire Gospel as a trial of Jesus.¹²¹

Parsenios distinguishes two kinds of seeking in John. The first follows the pattern of the Tanak, seeking God and finding him, while the second has roots in the Athenian investigative process ζήτησις. Parsenios admits that the more natural place to look for a background to seeking in John would be in the heritage of Judaism, especially the Wisdom tradition. It is the form of seeking from Wisdom literature which he views as the model for positive seeking, a form which is also present in Deuteronomistic history.¹²² The important question is ‘What do you seek?’ – an important question no matter what the background. The disciples seek Jesus and find in him the revelation of God. In contrast, the opponents of Jesus seek him and do not find him. More often than not they seek to arrest and kill him, which Parsenios views as linked to the Athenian legal investigative process.¹²³

Parsenios approaches his study in three stages: firstly, he examines the ancient sources in which seeking is a judicial term; secondly, he brings this to bear on John, demonstrating where seeking in John has a legal sense; and, thirdly, he shows that this helps John make his point and demonstrate the misunderstanding among Jesus’s interlocutors.¹²⁴ Parsenios does note that one of the issues with his study is that all seeking in John does not fit his model, and indeed that seeking can simply refer to the act of looking for something, so these mundane instances are not included in the

¹²⁰ Parsenios, *Rhetoric*, 9.

¹²¹ Parsenios, *Rhetoric*, 2.

¹²² Parsenios, *Rhetoric*, 43.

¹²³ Parsenios, *Rhetoric*, 42.

¹²⁴ Parsenios, *Rhetoric*, 51.

study. Parsenios does not examine the single occurrence of ζήτησις in the Gospel (3.25), the discussion of which he relegates to a footnote,¹²⁵ seeing it as a philosophical inquiry or debate.¹²⁶ Yet this instance is of great interest (even if one must be cautious not to read too much into a single occurrence), as the theme discussed is that of purification. This ζήτησις is a halakic debate, which is of great importance considering the connections between the genre of ζήτησις and midrash.

For Parsenios's enterprise to be successful, he admits that he needs to show how seeking has become a literary and theological motif within the Gospel of John.¹²⁷ To do so he highlights the parallels he sees with *Oedipus Rex* (*OR*), and the Athenian process of ζήτησις, which is akin to the investigation which forms the pre-trial process. Not only does he assert that this is present, but he further sees the theme of a legal reversal present in both *OR* and John.¹²⁸ In the former, it is Oedipus himself who is actually on trial, whereas in the latter, it is the Father who is the one actually conducting the trial. This latter link is perhaps tenuous, but does provide an interesting frame within which to view the Fourth Gospel. As further evidence, Parsenios notes that there is no trial before the Sanhedrin in John, which, he argues, supports his claim that the entire Gospel is a trial.¹²⁹ Yet, there is a difficulty, as, in a legal setting, ζήτησις is not actually the trial, but a pre-trial process. Furthermore, this understanding of ζήτησις is a minority understanding in antiquity and Parsenios later admits that John was not familiar with the Athenian process, which somewhat

¹²⁵ Parsenios, *Rhetoric*, 51, n. 10.

¹²⁶ William Loader, *Jesus' Attitude towards the Law: A Study of the Gospels* (Grand Rapids: Eerdmans, 2002), 456, argues that perhaps the evangelist also intends the reference in 3.25 about a dispute between a Jew and the disciples of John the Baptist about purification to contrast the new Christian purification and Jewish purification, suggesting a halakic debate.

¹²⁷ Parsenios, *Rhetoric*, 54.

¹²⁸ Parsenios, *Rhetoric*, 64.

¹²⁹ Parsenios, *Rhetoric*, 70.

undermines his conclusions.¹³⁰ He is correct to assert that the meaning within the Gospel is of primary importance and it is within this sense that it must be understood. Secondly, by viewing more than one sense of seeking, which acknowledges both the Tanak Wisdom Literature and the Greek world as possible sources, Parsenios shows an awareness of the influences on the author of the Fourth Gospel which can only be positive. It is possible, and indeed likely, that John was influenced both by Jewish and Greco-Roman culture. In a similar way, this study shall argue that Luke was influenced by both the worlds of ζήτησις and that of rabbinic literature. All three authors blend traditions to shed light on Jesus and his ministry, something which at all times remains to the fore, and which makes NT writing unique.

1.3 Evaluation of Literature Review

The review of literature has examined the contribution of leading monographers, highlighting some diverse approaches to the definition of midrash, and the investigation of midrash and the NT. In addition to the Jewish literature, consideration has also been given to the Hellenistic, or Greek, background to the NT, with a particular focus on the genre of ζήτησις. The literature leads to three main points, the definition of midrash; studies on midrash in the NT; and the Hellenistic Background.

1.3.1 Defining Midrash

The key starting point for many commentators was to define midrash. The earlier scholars such as Bloch and Vermès had a wide definition, including texts which are

¹³⁰ Parsenios, *Rhetoric*, 133.

based on Scripture, and genres such as rewritten Bible, and Targums. The work of Alexander charts a middle course, which avoids the definition of midrash becoming so wide as to be ineffective, while being aware of the distinctive elements of midrashic discourse which help to distinguish it from other forms of exegesis. By examining the principles which underlie midrashic exegesis, in addition to rabbinic forms, Alexander has been able to situate midrash within the context of Jewish exegesis, including the NT writings.

1.3.2 Studies on Midrash and the New Testament

Studies on midrash and the NT have had a tendency to describe or define midrash and look for (and find) similar things happening in the NT, by following, for example, Bloch's five characteristics of midrash, and then finding a biblical passage which displays these five characteristics. Following this approach, Hanson has sought to read John midrashically, but found that in place of Scripture, it was rather the person of Jesus who was the object of midrash. Such an approach has stretched the definition too far, going beyond even Bloch's five characteristics. Susan Docherty has examined midrash more closely, and sought to analyse how Scripture is interpreted in the NT, informed by the more precise definitions of different literary forms in Jewish biblical commentary of the rabbinic period. Docherty's study demonstrates that early Christian and early Jewish biblical interpretation were formed in the same milieu, and that Christianity is best understood in a Jewish setting.

1.3.3 The Hellenistic Background

Less explored in the context of NT studies is the Hellenistic background, both in terms of links to rabbinic literature, and for the NT itself. Such links had been investigated by David Daube, who noted similarities between rabbinic middot and rules of Hellenistic exegesis.¹³¹ Such links have also been discussed by Gertner. While the genre of ζήτησις has largely been overlooked in this discussion, Parsenius has examined it as part of his monograph in the Gospel of John, arguing that the sense of ζήτησις as legal investigation explains part of the context of seeking in John. While this inclusion of part of the Hellenistic background is welcome, further expansion to include the genre of Homeric ζήτησις will provide some key insights which draw many of these studies and themes together.

1.4 Summary of Dissertation

This is not a theological study. It has a linguistic bias, but falls under the field of exegesis, with the aim being to cast new light on certain passages in Ben Sira and Acts, in addition to opening up new paths for investigation. The aim is firstly to investigate the meaning of חקק in the Tanak, DSS, Ben Sira, and the Mishnah, secondly, to examine its translation in the LXX, and, thirdly, to demonstrate how a deeper understanding and awareness of the history behind συζητέω and ζήτησις can provide new insights into some key NT pericopae. The findings on the Tanak are included in the second chapter, not because they are innovative, but because they provide the background for the rest of the study, and provide a basis for comparison.

¹³¹ See Daube, *Rabbinic; New Testament*; 'Rabbinic Methods of Interpretation and Hellenistic Rhetoric,' *HUCA* 22 (1949): 239-64.

This dissertation seeks to situate מדרש in the NT era, to describe what the term can mean in the first century CE. Furthermore, it will apply these findings to the Acts of the Apostles.

The next chapter investigates the use of דרש in the Tanak, where a distinction is made between positive seeking, which has God as its object, and negative seeking which does not focus on the Lord. Particular attention will be paid to Ezra 7.10, where the Torah is the object of דרש, and whether this may be the first instance of a text as the object of דרש. The use of דרש and מדרש in the DSS is investigated, demonstrating how the terms are used in the Scrolls in a similar way to the Tanak, but with some new senses, including the study of and interpretation of Scripture. Particular focus is also paid to the use of the terms דורש התורה and דורשי חלקות, both of which include דרש. In the next chapter, the use of דרש in Ben Sira is examined, with two passages in particular (3.21-24 and 32.15) at the centre of the investigation. It is argued that in these passages Ben Sira encourages his students to refrain from apocalyptic speculation and rather to focus on searching in the Torah for wisdom. The use of דרש in the Mishnah is investigated in the following chapter, where it emerges that while it is most often used with the sense of scriptural interpretation, it does not at this point carry this exclusive meaning.

The next step is to examine how דרש is translated in the LXX. It is, as may be expected, most frequently translated by ζητέω or one of its cognates. The wider context of Hellenistic literature is examined, in particular the oft overlooked genre of Homeric ζητήσις. The techniques of Hellenistic criticism have also been employed

by Hellenistic Jewish writers, notably Demetrius the Chronographer and Philo of Alexandria, whose use of ζήτησις is investigated.

The results of this investigation are brought to the NT. The use of ζήτησις by Luke in Acts is explored, noting that where Luke uses the terms ζήτησις and ζήτημα matters of Jewish law are being discussed. This is of particular importance at the Council of Jerusalem, where Luke describes the debate as ζήτησις, indicating that he views the matter of whether Gentiles must be circumcised and follow the law of Moses as a Jewish legal debate.

2 'Seeking the Lord': The use of דרש in the Tanak

The aim of this chapter is to analyse and categorise the use of דרש in the Tanak. This will provide a point for comparison in studies of later texts. The chapter shall examine how biblical authors use the terms דרש and מדרש in the biblical text, noting any trends. This analysis will largely be in agreement with scholars who have studied these terms in the biblical context. Ezra 7.10 merits closer examination, as it carries great importance when one comes to consider how דרש is used in later texts, therefore focus will fall more intently on the use of דרש in this text, and its object – Torah.

דרש occurs 165 times in the Tanak. The occurrences are spread across all three parts: 22x in the Pentateuch, 62x in the Former Prophets, 46x in the Prophets and 33x in the Writings. There are two occurrences of מדרש, in 2 Chr 13.22 and 24.27.

2.1 Translating and Categorising the sense(s) of דרש in the Tanak

The primary sense of דרש in the Tanak is that of 'seeking' or 'inquiry'. While the term can be translated in different ways into English, the sense of 'to search' underlies many of these translations. So while דרש may be translated by 'inquire', or 'consult' in individual cases,¹³² the concept of searching for the will of God underlies these translations. The object of דרש holds a particular significance. At its

¹³² For example, Gen 25.22; 1 Kings 14.5.

most basic level, positive searching is that which has the will of God as its goal, while negative searching often has other gods, ghosts, or another object, which underpins the lack of trust the inquirer or searcher has in the Lord.

2.1.2 The Original meaning of דרש

The original meaning of the verb דרש is difficult to determine. While in biblical usage it is most correct to translate by ‘seek’, ‘ask,’ or ‘inquire’, the root must have undertaken a change of meaning from its usage, in Middle Hebrew, or Jewish Aramaic, where it carried the sense of interpretation, in addition ‘to tread’ or ‘trample’.¹³³ Within the Tanak, דרש appears frequently in 1 and 2 Chr and Pss, and relatively often in Deut, Ezek, Jer, and 1 and 2 Kings. It is not a term typical of Wisdom Literature. The primary meaning is ‘to seek’ and the precise sense is gained from the context. In comparison with בקש, which has a similar meaning, the range of profane usage of דרש is rather limited, making up only a quarter of occurrences.¹³⁴ While there are isolated instances of searching for someone or something (for example, Deut 22.2; Job 10.6 [with בקש as the preceding parallel], Ps 109.10 [to seek futilely]), in contrast to בקש, דרש belongs to the cognitive sphere ‘to inquire after something’, ‘to investigate’, ‘examining’, referring not to the location of a thing or event, but to its nature.¹³⁵

¹³³ Siegfried Wagner, ‘Darash, דרש,’ in *TDOT*, 3:293-307, (294).

¹³⁴ G. Gerleman/E. Ruprecht, ‘דרש,’ in *TLOT*, 1:346-351, (347).

¹³⁵ Gerleman/Ruprecht, ‘דרש,’ 347.

2.2 Senses of שׁוֹרֵץ in the Tanak

The most common sense of שׁוֹרֵץ in the Tanak is that of seeking, a sense which can be extended from the general notion of searching, to the particular sense of searching for the Lord. As a consequence, this sense can include prophetic inquiry of the Lord, as well as being extended to include worship and reverence. שׁוֹרֵץ often has the connotation of inquiring of God, either for a solution (when one is in difficulty) or for knowledge of the future.¹³⁶ Inquiry of God was generally conducted through the medium of a prophet or a seer (1 Sam 9.6-10; 28.6-7; 1 Kings 14.1-4; 22.5-7; 2 Kings 1.2-16; 3.11). The inquirer is normally an individual (1 Sam 9.9), usually the king, with exceptions including the matriarch Rebekah (Gen 25.22), and ‘the elders’ (Ezek 14.20).¹³⁷

In the Psalms, one can see most clearly examples of שׁוֹרֵץ with the basic meaning of ‘to search’. In the majority of instances in the Psalms (15 out of 25), in line with its use overall in the Tanak, the object of שׁוֹרֵץ is the Lord, or God. Frequently, the psalmist records how the people sought the Lord (God), turning to the divine in lament (Pss 22.7; 34.5; 69.33; 77.3), a cry echoed in Job 5.8 and Lam 3.25. Such seeking of the Lord was not always undertaken with the answer to a specific question in mind. Elsewhere in the Psalms, those who seek the Lord are portrayed in a positive light (Pss 9.11; 10.4; Ps 34.11), with the last of these verses proclaiming that the one who seeks the Lord will not want for any good thing.

¹³⁶ Daniel Patte, *Early Jewish Hermeneutic in Palestine*; SBLDS 22 (Missoula, MO: Scholars, 1975), 118.

¹³⁷ Gerleman/Ruprecht, ‘שׁוֹרֵץ’, 347.

In Chronicles, whether or not an individual king sought the Lord (לדרש) is a means of evaluating the reign of that king. דרש is key in the Chronicler's vocabulary,¹³⁸ and the phrase 'to seek the Lord' or 'to seek God' occurs twenty-five times in the work. While it may seem to signify simply the act of seeking guidance, it is more correct to say that it had acquired the general significance of an inner attitude of loyalty towards God (2 Chr 12.14; 15.2-7). 1 Chr 28.9, 'if you seek him', summarises this sense of דרש quite succinctly, using and adapting for its own purpose, the language of Deut 4.29; Jer 29.13; Isa 55.6.¹³⁹ Seeking the Lord is the opposite of forsaking him, and it is the means by which Solomon (and all kings) will be judged. The good king is the one who seeks the will of God, and who will subsequently follow that will.

2.3 Objects of דרש

The idea of seeking the Lord lies behind the majority of instances of דרש in the Tanak, both in the positive sense of seeking help or guidance in times of crisis, as well as the negative sense of turning to other gods or other sources of aid. It is therefore the object of the verb which ultimately determines the character of the seeking. It is appropriate to search for the Lord God, or for the will of God, and inappropriate to inquire of Ba'al or other gods. In the Tanak, דרש often has the connotation of inquiring of God for a solution when one is in difficulty, or for knowledge of the future. The Book of Samuel explains that formerly in Israel, a man who went to inquire of God would say, 'come let us go to the seer' (1 Sam 9.9). This

¹³⁸ H. G. M. Williamson, *1 and 2 Chronicles*; NCB 9 (Grand Rapids: Eerdmans, 1982), 32.

¹³⁹ Williamson, *Chronicles*, 181.

explanation outlines the role of the seer and later the prophet as the conduit through which someone could inquire of the Lord.¹⁴⁰ In a large number of verses, especially in Kings, Chronicles, Jeremiah, and Ezekiel, שׁוֹאֵל could be best translated ‘inquire of God’ or ‘consult YHWH’, and the prophet or mediator plays an important role in this inquiry (though the basic sense of seeking the will of God still underlies these translations).¹⁴¹ This leads Wagner to argue that the prophet acts as a mediator even when not mentioned, citing Gen 25.22 and 2 Chr 16.12 in support.¹⁴² While this is plausible for the verse from Genesis, the focus of the example in Chronicles is that Asa inquired not of the Lord but of physicians, a negative example of searching/consulting. Yet the role of the prophet as mediator cannot be denied. If there were any problems relating to either the personal life of the king, or the welfare of the people in the time before the Exile, inquiry was made of prophets or seers who would seek the will of God and relay this to the king.¹⁴³

Not all seeking was positive. Negative seeking is found where the object of searching or consultation was not the Lord God but other gods, the dead or ghosts, for example, ghosts: Deut 18.11; Isa 8.19; 19.3; Ba’al: 2 Kings 1.2, 3, 6, 16;¹⁴⁴ other gods: Deut 12.30; 2 Chr 25.15, 20; Isa 8.19.¹⁴⁵ Thus, it is the object of שׁוֹאֵל, which determines the value of the search.

¹⁴⁰ Yair Zakovitch, ‘Inner-biblical Interpretation,’ in *A Companion to Biblical Interpretation in Early Judaism*, ed. by Matthias Henze (Grand Rapids: Eerdmans, 2012), 27-63.

¹⁴¹ For example, 1 Kings 22.5, 7; 2 Kings 3.11; 8.8; Jer 21.2; 37.7; Ezek 14.7; 20.1, 3; 2 Chr 34.21, 26.

¹⁴² G. Wagner, ‘Darash,’ 302.

¹⁴³ Samuel Zeitlin, ‘Midrash: A Historical Survey,’ *JQR*, 44 (1953): 21-36, (23).

¹⁴⁴ In 2 Chr 17.3 Jehoshaphat is praised for not seeking the Baals.

¹⁴⁵ G. Wagner, ‘Darash,’ 303.

In the wider context, there are few examples of a person or a thing as the object of **דָּרַשׁ**.¹⁴⁶ The object can be an ‘ideal’ value, primarily of a positive nature, including ‘justice’ (Isa 1.17); ‘good’ (Amos 5.14; Esth 10.3); but also ‘evil’ (Prov 11.27). In Chronicles especially, ‘to seek YHWH’ appears frequently, which determines whether one is a true Israelite, and is applied to various kings.¹⁴⁷ Indeed, the final judgement of a king in Chronicles relates to whether they ‘sought the Lord’ (or not)¹⁴⁸ as outlined in 2 Chr 15.2. Further examples of the evaluation of the kings include 2 Chr 12.14; 16.12; 17.4; 25.15; 26.5.

Legal terminology is also quite prevalent as an object of **דָּרַשׁ**, both with relation to Torah and commandments, and legal investigation, especially in Deuteronomy and the Psalms. Psalm 119 provides some examples of the former where the precepts (**פְּקֻדֹּיִם**, Ps 119.45, 94) and statutes (**חֻקִּים**, Ps 119.155) of the Lord are objects of searching (**דָּרַשׁ**).¹⁴⁹ Avi Hurvitz views the combination of **דָּרַשׁ** + ‘God’s commandments/Torah’ as unknown in Standard Biblical Hebrew, where the term **דָּרַשׁ** means simply ‘seek/search/inquire of’ God, not the ‘written word of God,’ citing Ezra 7.10 and Ps 119.155 as examples of the former, compared with Gen 25.22 and Isa 9.12(13) as examples of ‘seeking the Lord’.¹⁵⁰ Hurvitz views this as evidence **דָּרַשׁ** underwent ‘a far-reaching semantic development within BH – a development which culminated in the Halachic terminology of Rabbinic literature

¹⁴⁶ For example, Deut 22.2. See Gerleman & Ruprecht, ‘**דָּרַשׁ**,’ 347. The presence of a person as an object of **דָּרַשׁ** was more prevalent in the DSS.

¹⁴⁷ G. Wagner, ‘Darash, **דָּרַשׁ**,’ 300.

¹⁴⁸ *TWOT*, 445.

¹⁴⁹ This Psalm is replete with legal terminology.

¹⁵⁰ Avi Hurvitz, ‘Can Biblical Texts be Dated Linguistically: Chronological Perspectives in the Historical Study of Biblical Hebrew,’ *Congress Volume Oslo 1998*, ed. by André Lemaire and Magne Sæbø; VTSup 80 (Leiden: Brill, 2000), 143-60, (152).

(“Midrash”).¹⁵¹ While Hurvitz underrepresents the prevalence of legal terminology as an object of דרש, he does identify that it became more common in later texts, notably Ezra 7.10.

Additionally, in Deuteronomy, the term דרש is used of rational legal investigation (Deut 13.15; 17.4, 9; 19.18). This particular semantic shift parallels, and even precedes, the similar one in Ezra 7.10.¹⁵² For whereas the expression ‘to inquire (דרש) of YHWH’ occurs in a prophetic context of legal inquiry in Exod 18.15, the expression used in Ezra 7.10 is specifically ‘to inquire (לדרש) of the Torah of YHWH’. The divine words in Exodus serve as an oracle for rational-exegetical inquiry. Furthermore, priests are recognised as interpreters of the law in Deut 17.9, 11.¹⁵³ The addition of the Torah as an object of דרש signals a shift in the focus of the inquirer’s search, from the direct route to the Lord (via a medium) to the Torah of the Lord.

This shift in focus is visible at various points across the Tanak. In Gen 25.22, Rebekah has conceived, but noticing something amiss, she went ‘to inquire of the Lord’ (לדרש את־יהוה), the first occurrence in the Tanak of דרש with the sense of divination. Isa 34.16 ‘seek and read from the book of the Lord’ (דרשו מעל־ספר) presents one example of a text as an object of דרש, though not yet with the sense of interpretation. Jacob Wright rightly notes that 2 Kings 22 is important in

¹⁵¹ Hurvitz, ‘Can,’ 153.

¹⁵² Fishbane, *Biblical*, 245.

¹⁵³ Eric M. Meyers, ‘The Use of *tôrâ* in Haggai 2:11 and the Role of the Prophet in the Restoration Community,’ in *The Word of the Lord Shall go Forth: Essays in Honor of David Noel Freedman in Celebration of His Sixtieth Birthday*, ed. by Carol L. Meyers and Michael Patrick O’Connor (Winona Lake, IN: Eisenbrauns, 1983), 69-76, (71). Ezek 44.24 speaks of priests standing in judgement regarding the statutes and commandments.

terms of the transition from prophetic oracle to text.¹⁵⁴ After the discovery and reading of the ספר התורה, Josiah commands Hilkiah and company to ‘seek’ a prophetic oracle (לכו דרשו את־יהוה). Once the term is given validity by the prophetess Huldah, it receives an authoritative status. This transition from an oral to a written object of דרש is of central importance, and a key question for this dissertation is whether it is possible to pinpoint when the object of דרש became primarily a written text? For many commentators, it is Ezra 7.10 which provides this moment.

2.4 Ezra 7.10

The phrase containing דרש which has provoked most debate is Ezra 7.10: ‘for Ezra had dedicated himself to study the Torah of the Lord (לדרוש את־תורה יהוה) so as to do it and teach the statutes and ordinances in Israel’. The exact sense of both דרש and Torah is debated; with the former possibly meaning ‘study’, ‘exposition’ and ‘searching’, and debate on the latter focusing on whether it is a reference to the written Torah, or merely a more general ‘instruction’. It is the definition of ‘Torah’ which will allow the precise meaning of דרש to be established; if ‘Torah’ is indeed the legal text, דרש must have the meaning of exegetical inquiry.

Ezra, who was a scribe skilled in the law of Moses (Ezra 7.6), which the Lord, the God of Israel, had given, was trusted with the task of encouraging the people to

¹⁵⁴ Jacob L. Wright, ‘Seeking, Finding and Writing in Ezra-Nehemiah,’ in *Unity and Disunity in Ezra-Nehemiah: Redaction, Rhetoric and Reader*, ed. by Mark J. Boda and Paul L. Redditt; HBM 17 (Sheffield: Phoenix, 2008), 277-304, (277).

become holy by following the Torah.¹⁵⁵ In the book of Ezra, the purpose of his going to Jerusalem was ‘to teach in Israel statutes and ordinances’ (7.10).¹⁵⁶ The role of the scribe developed from that of a mere copyist, to a more exegetical role, adapting laws to the complex reality of fourth century Judea.¹⁵⁷ Ezra undertakes the roles of both priest and scribe, and is assisted by the Levites in promulgating, teaching, and interpreting the laws (Ezra 7.6, 11; see Neh 8.1).¹⁵⁸ Yet Ezra is not limited to the role of a scribe who, in the age of the prophecy, merely recorded words dictated to him.¹⁵⁹ Not only is he proficient in the art of the scribe, he is also endowed with a wisdom which enables him to make inquiries into the words of God. The scribe does not have the same direct access to the will of God as the prophet, who can communicate directly with God. Rather, he can resort to explanations and interpretations of God’s law in order ‘to fulfil it and to teach in Israel statutes and judgements’.

It must be considered whether the word ‘Torah’ could mean law in the general sense. In Artaxerxes’s decree (Ezra 7.12-28), the word *dat* is translated by ‘law’ (Ezra 7.12, 14, 21, 25, 26). *Dat* usually relates to royal decrees and is not generally understood as the Aramaic equivalent for Torah.¹⁶⁰ As a consequence, some scholars argue that since Ezra’s mission was secular in nature, the reference to the law being in Ezra’s hand (Ezra 7.25, 26) speaks to Ezra’s mandate to implement the Torah (the

¹⁵⁵ As Carol A. Newsom, *The Self as Symbolic Space: Constructing Identity and Community at Qumran*, STDJ 52 (Leiden: Brill, 2004), 33 notes, not only is Ezra’s expertise stressed, but also the effort required to achieve such knowledge. Knowledge of the Torah requires discipline and hard work. The references to Ezra here refer to the book of Ezra, not the historical figure.

¹⁵⁶ Christiane Karrer-Grube, ‘Scrutinizing the Conceptual Unity of Ezra and Nehemiah,’ in *Unity*, ed. by Boda and Redditt, 136-59, (139).

¹⁵⁷ Joachim Schaper, ‘The Pharisees,’ in *The Early Roman Period*; Vol. 3 of *The Cambridge History of Judaism*, ed. by William Horbury, W. D. Davies, and John Sturdy (Cambridge: University Press, 1999), 402-27, (403).

¹⁵⁸ Joseph Blenkinsopp, ‘Interpretation and the Tendency to Sectarianism: An Aspect of Second Temple History,’ in *Aspects of Judaism in the Greco-Roman Period*, ed. by E.P. Sanders, A.I Baumgarten & Alan Mendelson; Vol II of *Jewish and Christian Self-Definition*, ed. by E. P. Sanders (London: SCM, 1981), 1-26.

¹⁵⁹ See Blenkinsopp, *Prophecy and Canon: A Contribution to the Study of Jewish Origins* (Notre Dame, IN: University of Notre Dame Press, 1977), 109-120.

¹⁶⁰ Mark A. Throntveit, *Ezra-Nehemiah*; IBC (Louisville: John Knox, 1992), 43.

law of the land) in the land of Israel.¹⁶¹ Following this argument would mean that Ezra is implementing the decrees of Artaxerxes, or the law of the God of Israel on behalf of Artaxerxes. Yet this diminishes the role of Ezra, who is priest, scribe, and learned in the matters of the law of Israel (Ezra 7.10, 11, 12). Joseph Blenkinsopp has argued that ‘the law’ in Ezra-Nehemiah, and therefore Ezra’s law, refers to the Deuteronomic law.¹⁶² While it is Ezra’s responsibility to enact the Torah (see especially Ezra 7.25-26), his responsibilities extend beyond this task to include interpreting the Torah for the people of Israel. In Ezra 7.14, one of the tasks is to inquire about Judah and Jerusalem according to the law of your God, which is in your hand, suggesting an interpretive function. This is distinguished from the offering of silver and gold in the following verse. Again in Ezra 7.18, the scribe is given the responsibility to interpret the will of God in order to decide how best to dispose of what remains of the silver and gold. As noted above, the expression ‘to inquire (לִדְרֹשׁ) of YHWH’ occurs in a prophetic context in 1 Kings 22.8, and the expression ‘to inquire of Elohim’, relates to a legal inquiry in Exod 18.15. The expression used in Ezra 7.10 is more specific. The object of inquiry is ‘the *Torah* of the Lord’. Here, the divine text serves as ‘an *oraculum* for rational-exegetical inquiry’.¹⁶³ Wright argues that Ezra’s seeking and finding in the Torah is demonstrated in Ezra 7.10-15, where he blends Deut 7.1-3; 23.4-9 and Lev 18, and applies them to the situation at hand.¹⁶⁴ This suggests that the ‘Torah’ envisaged by the text is indeed a written text, the meaning of which Ezra will explain or interpret

¹⁶¹ For example, Paul Mandel, ‘Origins,’ who argues that Ezra as priest and *sofer* takes on the role of a legal consultant who was responsible for the enactment of the law.

¹⁶² Joseph Blenkinsopp, *Ezra-Nehemiah: A Commentary*; OTL (Philadelphia: Westminster, 1998), 152-157. The book of the Law is referred to by a number of titles in Ezra-Nehemiah, per H.G.M. Williamson, ‘History,’ in *It is Written: Scripture Citing Scripture – Essays in Honour of Barnabas Lindars*, ed. by D. A. Carson and H. G. M. Williamson (Cambridge: University Press, 1988), 25-38, (25).

¹⁶³ Fishbane, *Biblical*, 245.

¹⁶⁴ Wright, ‘Seeking,’ 287.

for the returned exiles. The recurring references to the law of the God of Israel being in the hand of Ezra (Ezra 7.14, 25) strengthen the case that this law existed as a written text. One of the effects of Ezra's mission is therefore to (re)establish the centrality of the book, the written Torah, as the basis of the life of the people.¹⁶⁵

The authority of the written Torah is generally recognised by most readers of the Tanak. References to the book of Torah are found at the end of Deuteronomy (30.10, ספר התורה + כתב; and 31.9-13, כתב + תורה). Joshua is charged to keep and do what is written in the book of Torah (Josh 1.8, ספר התורה). Moreover, 2 Kings 22.8-13 narrates the discovery and public reading of a book under Josiah, including roles for a priest and a scribe, while Jeremiah 36 speaks of commandments in a written form, and Mal 3.22 calls on the people to always remember the law of Moses (תורת משה). Psalms 1, 19 and 119 have Torah as their focus, with Ps 1.2 'but his delight is in the law of the Lord' alluding to Josh 1.8. The location of these occurrences, at the beginning and end of certain sections of the Bible, suggests that the authors/editors consciously placed the Torah in significant locations in the work, which is an indicator of its importance. In most biblical books, תורה simply means 'teaching' or 'direction'. In Prov 1.8, the 'teaching' (תורה) of a mother is evoked alongside the 'instruction' of a father. In Leviticus, the term frequently designates technical instructions on sacrifices and ritual acts. In Deuteronomy, 'this Torah' designates the collection of legal instructions contained in the Book. In the late books of the Bible, however, תורה takes on a different meaning. It now refers to the book in which Jewish law is written down: Neh 8.4 'They discovered written in the Law (תורה) that the LORD had commanded

¹⁶⁵ Handelman, *Slayers*, 43.

through Moses ...'. This meaning of תורה is practically identical with the one that is common today. From a general purpose word, תורה has changed into a religious term.¹⁶⁶ The prominence of the book of the Torah in the life of the people is also highlighted by Neh 8, which reports the public reading and teaching of the book of the law of Moses in the presence of the assembly of the people. The fact that the words are not only read aloud, but also explained, suggests more depth to Ezra's role.¹⁶⁷

In part, the purpose of Ezra 7.10 is to provide an overview of Ezra's activities, which included interpreting, compiling, and teaching the pre-exilic Torah traditions to the community on their return from exile.¹⁶⁸ In the book, Ezra's role thus combines scribal, priestly, and exegetical functions, and is therefore greater than those who would argue that Ezra was simply a scribe who ensured the people followed the law. The community which returned from exile 'sought YHWH' (Ezra 6.21), and the chief means by which they did this was in seeking the Torah of the Lord (Ezra 7.10). It was a community with exegesis at its very core.¹⁶⁹ In an age when prophecy had ended, the 'direct' line to YHWH via the prophets had been lost, and the Torah becomes the means of ascertaining the divine will. As a consequence, some scholars argue that midrash, meaning the interpretation of scriptural verses, is already found in the Bible, as Ezra was engaging in a midrashic process in interpreting the Torah for the people.¹⁷⁰ Part of the reason for this is that Torah had

¹⁶⁶ Jan Joosten, 'Hebrew: A Holy Tongue?' Inaugural Lecture as Regius Professor, 27 October 2015. While the term may not designate the Torah as extant today, the reference may be to an earlier form, or an urtext underlying the different recensions of Torah.

¹⁶⁷ See Bernard S. Jackson, *Studies in the Semiotics of Jewish Law* (Sheffield: Academic, 2000), 141.

¹⁶⁸ Fishbane, *Biblical*, 36.

¹⁶⁹ Fishbane, *Biblical*, 114.

¹⁷⁰ Peretz Segal, 'Jewish Law During the Tannaitic Period,' in *An Introduction to the History and Source of Jewish Law*, ed. by N. S. Hecht, B. S. Jackson, S. M. Passamanek, D. Piatelli, A. M. Rabello, (Oxford: University Press, 2002), 101-40, (108); Boaz Cohen, *Law and Tradition in Judaism* (New York: The Jewish

emerged as the sole source of textual authority and, therefore, needed to be interpreted to reflect the current situation of the community. While numerous scholars rightly identify this verse as key in the history of interpretation, one needs to be careful not to place too much emphasis onto a single verse and retroject later understandings onto the biblical text. David Weiss Halivni, for example, argues ‘Ezra was thus the principal architect of those aspects of oral law that were not already included in the full meanings of the scriptural commandments.’¹⁷¹ This comment goes too far. While Ezra did engage in a new process, he was not interpreting Scripture in the same way the rabbis were to do some centuries later. It is more correct to conclude that the key change in perspective at this time was to see a biblical text as the source of divine will, and in terms of our study, to view a text, moreover, the biblical text, as an object of פירוש.

The closure of the scriptural canon changes things fundamentally, as there can be no further additions to the biblical text.¹⁷² New meanings can only be found through interpretation of that biblical text.¹⁷³ The first such recorded interpretation is found in the book of Ezra, who inquires of the Torah of the Lord as previous generations had inquired of God for a living oracle (2 Kings 22.5, 8). Ezra 7.10 provides clear evidence of a text as an object of פירוש, something which became much more common in later texts, as will be demonstrated in the chapters which follow.

Theological Seminary of America, 1959), 44; David Weiss Halivni, ‘Plain Sense and Applied Meaning in Rabbinic Exegesis,’ in *The Return to Scripture in Judaism and Christianity: Essays in Post-critical Scriptural Interpretation*, ed. by Peter Ochs (New York: Paulist, 1993), 107-41, (112).

¹⁷¹ Halivni, ‘Plain,’ 112.

¹⁷² The closing of the canon is more of an event than a process. While the Council at Yavneh (c. 90 CE) is cited as the closing point for the entire Tanak, even before the LXX the Torah had a comparatively fixed text in the third or second century BCE.

¹⁷³ Michael Fishbane, *The Exegetical Imagination: On Jewish Thought and Theology* (Harvard: University Press, 1998), 13.

2.5 Midrash in the Tanak

מדרש occurs twice in Chronicles (13.22; 24.27). It is clear that the midrashim, to which the narrative of Chronicles refers, are a text of some sort. Though their precise nature can be debated, it is generally accepted that the term does not carry the significance it had gained in rabbinic literature.¹⁷⁴ Hugh Williamson hypothesises that there is no reason to suppose that the term מדרש has any particular significance,¹⁷⁵ or indeed that it may refer to an alternative source at the disposition of the author.¹⁷⁶ Hyam Maccoby proposes that the term is best translated ‘exposition’, in the non-technical sense.¹⁷⁷ Shaye Cohen posits that the term is more closely related to the Greek term *historia*, which can be distinguished from the Hebrew investigation into Scripture, because it is related to an investigation into the past.¹⁷⁸ Cohen’s argument makes sense given the context of Chronicles, which provides a history of the people of Israel, although the text does not provide sufficient information on the context in which מדרש is used to allow a definite conclusion.

Some scholars argue that there is a strong link between the term מדרש in Chronicles and prophetic material. Peter Ackroyd¹⁷⁹ notes that the oracles mentioned in 2 Chr 24.27 contained a considerable amount of prophetic material, and observes

¹⁷⁴ Saul Lieberman connects the usage of מדרש in Chronicles with the Greek term ζήτησις (*Hellenism in Jewish Palestine: Studies in the Literary Transmission, Beliefs and Manners of Palestine in the First Century BCE – Fourth Century CE*; TS 18 [New York: The Jewish Theological Seminary of America, 1950], 48.) Lieberman concedes that it is doubtful that the term מדרש in Chronicles carries the technical meaning of later times.

¹⁷⁵ Williamson, *Chronicles*, 255.

¹⁷⁶ Williamson, *Chronicles*, 326.

¹⁷⁷ Hyam Maccoby, *Early Rabbinic Writings* (Cambridge: University Press, 1988), 25.

¹⁷⁸ Shaye J. D. Cohen, *From the Maccabees to the Mishnah*; 2nd ed. (Louisville: Westminster John Knox, 2006), 196.

¹⁷⁹ Peter R. Ackroyd, *I and II Chronicles, Ezra, Nehemiah: Introduction and Commentary* (London: SCM, 1973).

that the other mention of such a midrash in 2 Chr 13.22 is connected with the prophet Iddo. He also finds further evidence for expansions of narratives with prophetic material in the Isaiah sections in 2 Kings 18-20, and the fall of Jerusalem and its aftermath in Jer 37-44, which he contrasts with 2 Kings 24-25, where Jeremiah is not mentioned. Thus, Ackroyd can state: ‘There is perhaps here an indication of the existence of expanded forms of the Kings narratives, or of related writings, in which more prophetic material was integrated into the narratives.’¹⁸⁰ Samuel Zeitlin posits that the seers and prophets kept records of their prophecies and interpretations of the inquiries of the kings and the people, thus providing an explanation of the occurrences of מדרש in Chronicles.¹⁸¹ Such an explanation has the advantage of providing a linguistic connection to the occurrences of דרש. Louis Finkelstein was among the first to present the case that the ‘Midrash of the Prophet Iddo’ was not a series of stories, but a collection of his oracles, and moreover that the ‘Midrash of the Book of Kings’ is probably a reference to the Book of Kings from the Bible.¹⁸² This would mean that at the time when Chronicles was written, the word מדרש had two meanings: a place of prophetic discussion, and the substance of that discussion. Such a meaning builds on the sense of דרש which is most common in the Tanak, that of inquiring of the Lord through the medium of a prophet. Finkelstein makes the logical statement that if דרש means to ‘seek the Lord’ or ‘to commune with God’, then the place where the Lord is sought is a מדרש. Although this may have been the popular sense in common usage, Finkelstein admits that this meaning did not appear in Scripture, citing בית מדרשי

¹⁸⁰ Ackroyd, *Chronicles*, 162.

¹⁸¹ Zeitlin, ‘Midrash,’ 24-25.

¹⁸² Louis Finkelstein, ‘The Origin of the Synagogue,’ *PAAJR* 1 (1928 – 1930): 49-59.

(Ben Sira 51.23), which he translates as ‘lecture hall’, in support of his argument.¹⁸³

The meaning of מדרש in common usage must remain speculative, unless further evidence comes to light, so while Finkelstein’s argument is somewhat plausible, there is not enough evidence to fully endorse his conclusions.

The paucity of occurrences of מדרש in the biblical text hinders attempts to come to a precise definition of the term. It is clear that מדרש has not developed the sense of interpretation of Scripture, and the most reasonable conclusion is that it refers to a text, most likely one that included prophetic oracles. While Finkelstein may not be correct in stating that 2 Chr 24.27 refers to the Book of Kings in the Bible, it could well be the case that it did record the details of when the kings made inquiries of the Lord through the prophets.

2.6 Conclusions on use of דרש in the Tanak

This examination of the use of דרש in the Tanak agrees with the majority of scholars that in the vast majority of cases, the verb is used in the sense of seeking or searching. דרש can be distinguished from the verb בקש, which carries a similar meaning, in that דרש is only infrequently used in mundane contexts. While דרש is often used in the context of searching for the Lord (God), or the will of God, often through the medium of a prophet, it is the object of the verb which determines the character of the search. In Chronicles, judgement is passed on the reign of a king by whether or not they sought the Lord (לדרש את־יהוה). This evaluation of searching can be extended to the majority of occurrences of דרש in the Tanak. Positive

¹⁸³ Finkelstein, ‘Origin,’ 55.

searching is that which has the Lord God as its goal, while negative searching is not searching for the Lord God, or indeed searching for other gods, Baalzebub or ghosts. Searching for the Lord also includes the sense of searching for the will of God; to this end דרש also carries the sense of inquiring of the will of God, an activity which was often undertaken on behalf of the king by the prophet, though the inquirer could also be an individual.

An important occurrence of דרש is found in Ezra 7.10, where the object of the verb is 'the Torah of the Lord'. While on other occasions, there is a hint that a text may be the object of דרש (for example, Isa 34.16; 2 Kings 22.13), in Ezra 7.10 it becomes clear that Ezra, who holds the dual role of priest and scribe, sets his heart to interpret the Torah of the Lord for the people on their return from exile. This verse is the only time in the Tanak that 'Torah' occurs as an object of דרש, highlighting the importance of the Torah for the people on their return from exile. Moreover, it suggests that as the age of prophecy had ended, and when the prophet was no longer available as a means of inquiring of the will of God, the text of the Torah took on a greater role as a means of discerning that will. So while previously the prophet/king may have inquired of the Lord (לדרש את־יהוה), in the time of Ezra, and following, the more appropriate means of inquiring of the Lord was to inquire of the Torah of the Lord, which had been given to the people. Thus, it is entirely plausible that Ezra 7.10 presents one of the earliest roots of midrash in the sense of interpretation of Scripture. While one must be careful not to place too large a burden on a single biblical verse, the following chapters shall examine the occurrences of דרש and מדרש in the DSS, Ben Sira, and the Mishnah, which will fill in more dots on the line of the sense of דרש and מדרש at later stages and it will become clearer

how the terms were used in various texts, in order to come to a deeper understanding of how דרש could have been understood at the time when the NT was written.

3. The use of דרש and מדרש in the Dead Sea Scrolls

This chapter will examine the use of דרש and מדרש in the Dead Sea Scrolls, specifically how the terms are used, with an emphasis on the objects of דרש and מדרש. It will investigate how the term is used with reference to the community study sessions; how legal terms appear more frequently as the object of דרש than in the Tanak. The figures of the 'IL' and the 'Seekers after Smooth Things' will be analysed. The use of דרש and מדרש to describe the test which judges whether a person is worthy to be (re)admitted to the Qumran community will be studied. With specific regard to the use of מדרש, the term מדרש תורה will be investigated, as well as how מדרש is used as a title for and within documents. As many of these themes are interrelated, there will naturally be some overlap; however, I aim to demonstrate that there are both similarities and differences in the way דרש and מדרש are used in the Tanak and the DSS. The particular focus of this chapter will be on those differences, specifically, leading to the question as to whether the terms were used with reference to the interpretation of Scriptures in the DSS.

One of the key questions this thesis seeks to address is that of a potential shift in meaning of the verb דרש. Biblical Hebrew often refers to people seeking God or inquiring of God,¹⁸⁴ or seeking an oracle from God,¹⁸⁵ while in two later texts the object is no longer God – in Ezra 7.10 it is the Torah of the Lord and in Ps 119.155 the statutes (חֲקִים).¹⁸⁶ This is a process which Shaye Cohen links to the canonisation

¹⁸⁴ Deut 4.29; 2 Chr 18.6; Ps 34.10; Isa 55.6.

¹⁸⁵ Gen 25.22; Exod 18.15; 1 Sam 9.9.

¹⁸⁶ See also Isa 34.16 where the object is סֵפֶר, the book of the Lord.

of the Torah.¹⁸⁷ The presence of a text as an object of דרש suggests that those seeking God's will began to look for it in texts.

A central question in this respect is how one can determine when words widen their semantic field and take on new meanings?¹⁸⁸ The key aspect of this question is whether דרש and מדרש should be understood in the light of earlier traditions read forward or in terms of later material read backwards. This chapter will examine firstly how the terms are used in the community texts at Qumran; before determining whether the terms דרש and מדרש can be associated with exegetical study at Qumran. This will provide a deeper understanding of how the Qumran community read and interpreted their Scripture, and will additionally allow for analysis of how these terms were understood by a community in the last centuries BCE.¹⁸⁹

3.1 Introduction

The term דרש occurs 134 times across the various documents found in the caves near the Dead Sea; this is added to by twelve occurrences of the noun מדרש.¹⁹⁰ The verbal form appears in fifty-three different scrolls. Of the 134 occurrences, דרש appears 10x

¹⁸⁷ Cohen, *Maccabees*, 196. When the Torah has reached the point of canonisation, Jews no longer seek God directly; they seek him through the Torah, the process which comes to be known as midrash.

¹⁸⁸ This question has been posed by George Brooke in 'Peshet.'

¹⁸⁹ Scripture in the DSS may be described as a canon-in-process, though not a canon (Eugene Ulrich, 'The Qumran Biblical Scrolls – the Scripture of Late Second Temple Judaism,' in *The Dead Sea Scrolls in their Historical Context*, ed. by Timothy H. Lim [Edinburgh: T & T Clark, 2000], 67-87, [85].) The community would have held the Torah as canonical, as well as the Prophets, though the specific contents of this may not have been fixed.

¹⁹⁰ My own calculation, based on readings where the occurrence of דרש is either complete, or can be restored with confidence due to the same phrase being found in another document, or, in rarer cases, from the context. Abegg et al find 133 occurrences of דרש, supplemented by twelve occurrences of מדרש. They do not include 4Q385^b which will be discussed below (see Martin G. Abegg, James E. Bowley, and Edward M. Cook, *The Dead Sea Scrolls Concordance*; 3 vols. [Leiden/Boston: Brill, 2003], 199-200).

in 1QS (with an additional three occurrences of מדרש¹⁹¹; 8x in CD (one occurrence of מדרש); 6x in 4Q266 (with one occurrence of מדרש¹⁹²; 10x in 1QH; 6x in 4Q169; and 7x in 11Q19, six of which parallel, or closely follow, the text of Deuteronomy. It is important to note that the majority of occurrences of דרש are found in what are generally agreed to be community compositions.¹⁹³ In order to arrive at a conclusion on how דרש is used at Qumran, key texts in which the term is found – the *Rule of the Community* and the *Damascus Document* will be examined, in addition to the key phrases דורש התורה and דורשי החלקות. The use of מדרש in the scrolls will be investigated, with a particular focus on its use as a title, midrash as legal interpretation, and midrash as judicial inquiry.

George Brooke has proposed the replacement of non-sectarian, modern categories of analysis with sectarian terms which better reflect wider Jewish practice, a shift which allows categories which would, he argues, be deemed suitable by trained and skilled sectarian users of Scripture themselves.¹⁹⁴ As Brooke notes, the key question is how to place דרש, that is, whether priority is given to the basic meaning

¹⁹¹ There is one occurrence of מדרש in 4Q256; two occurrences of מדרש in 4Q258 and one occurrence of דרש in 4Q259, which are other manuscripts of Serekh.

¹⁹² While CD is not a Qumran manuscript, it is closely associated with the *yahad*.

¹⁹³ In order to provide a clearer focus for this chapter, the investigation will concentrate in particular on texts where דרש and מדרש may have the sense of biblical interpretation, the majority of which occur in what are termed authentic community texts (the exceptions being CD and 4Q375). The documents which are held to be composed by the sect (possibly on site at Qumran) are Serekh, *Rule of the Congregation*, *Rule of Blessings*, Hodayot, the Pesharim, The War Scroll, the Damascus Document, the Temple Scroll, and 4QMMT. See Devorah Dimant, 'The Qumran Manuscripts: Contents and Significance,' in *Time to Prepare the Way in the Wilderness*, ed. by Devorah Dimant & Lawrence H. Schiffman; STDJ 16 (Leiden: Brill, 1995), 23-58; and Carol Newsom, "'Sectually Explicit' Literature from Qumran," in *The Hebrew Bible and its Interpreters*, ed. by William H. Propp, Baruch Halpern, and David N. Freedman (Winona Lake: Eisenbrauns, 1990), 167-88.

¹⁹⁴ George J. Brooke, 'Reading, Searching and Blessing: A Functional Approach to Scriptural Interpretation in the דרש,' in *The Temple in Text and Tradition*, ed. by Timothy L. McLay (London: Bloomsbury, 2015), 140-156, (140). Important works on describing and defining scriptural interpretation in the DSS include George J. Brooke, 'From Bible to Midrash: Approaches to Biblical Interpretation in the DSS by Modern Interpreters,' in *Northern Lights on the DSS: Proceedings of the Nordic Qumran Network 2003-2006*, ed. by A. Kloostergaard Petersen, T. Elgvin, C. Wassen, H. von Weissenberg, M. Winnige; STDJ 80 (Leiden: Brill, 2009), 1-19; on the trajectory after Qumran, see Aharon Shemesh, 'Biblical Exegesis and Interpretations from Qumran to the Rabbis,' in *Companion*, ed. by Henze, 467-89.

of searching, as principally found in the Tanak, or whether its meaning is closer to that in later Hebrew usage of study.¹⁹⁵ The two sides of the argument are best represented by Johann Maier and Lawrence Schiffman. Maier argues that scarcely sufficient evidence exists for a connotation of דרש like ‘to interpret’ or ‘to expound’ in early Jewish literature.¹⁹⁶ In contrast, Schiffman’s views on scriptural exegesis at Qumran depend upon understanding the verb דרש in the DSS as ‘to study’.¹⁹⁷ An alternative approach is proposed by Paul Heger, who argues that the meaning of דרש is best determined by an examination of its use in context; therefore, some quite early biblical uses are best translated by ‘study’, whereas others are not.¹⁹⁸

It is important not to limit the understanding of דרש to a single word in English. It has a much wider semantic range in the DSS, which, while largely similar to that of the Tanak, leaves some of the minor uses in biblical Hebrew behind, while taking on some new meanings, mostly with regards to interpretation. It is the objects of דרש, notably Torah and related terms, which mark this new understanding of דרש.¹⁹⁹ At Qumran, a person can be the object of דרש, within the context of a community examination, a sense largely absent from the Tanak.

The DSS are a collection of documents found in caves close to Khirbet Qumran at the northern end of the Dead Sea, and are often connected to this settlement. While the focus of this work is not to identify who wrote the Scrolls, I will

¹⁹⁵ Brooke, ‘Reading,’ 147; see also, Brooke, ‘Peshet’.

¹⁹⁶ Johann Maier, ‘Early,’ 113.

¹⁹⁷ Schiffman, *Sectarian*, 14-17. Schiffman’s approach is supported by, among others, Philip S. Alexander, ‘The Bible in Qumran and Early Judaism,’ in *Text in Context: Essays by Members of the Society for Old Testament Study*, ed. by A. D. F. H. Mayes (Oxford: Clarendon, 2000), 35-62, (40).

¹⁹⁸ Paul Heger, ‘The Development of Qumran Law: *Nistarot*, *Niglot* and the Issue of “Contemporization”,’ *RevQ* 23 (2007-2008): 167-206.

¹⁹⁹ At Qumran, textual investigation is not limited to the biblical text, but may be extended to texts which have been produced by the *yahad* themselves.

briefly state my position on some of the theories which seek to identify the sect (at the Dead Sea). Most scholars have assumed that the manuscripts found in the caves were a library of the community which lived at Qumran.²⁰⁰ A notable dissenting opinion is that of Norman Golb, who argues that the Scrolls must have been taken from Jerusalem and hidden in the desert as they were so numerous.²⁰¹ Most scholars hold the opinion that the proximity of some of the caves to the site cannot be coincidental. Additionally, that many of the scrolls are critical of the Jerusalem priesthood lends further doubt to Golb's thesis. While taken as a whole the Scrolls have a 'sectarian character',²⁰² it does not follow that all were composed at Qumran. They may have been brought by other sectarian communities for safekeeping. The scrolls were not all placed in the caves at the same time, with the average age of scrolls in Cave 1 and Cave 4 older than that of the others. The placing of scrolls in caves at different times lends credence to the theory that they were connected to a community that lived on the site.²⁰³

The majority of scholarship follows what is known as the Qumran-Essene hypothesis. This identification was first proposed separately by Eliezer Sukenik²⁰⁴ and Millar Burrows,²⁰⁵ and developed by André Dupont-Sommer. The theory was developed by Cross,²⁰⁶ Józef T. Milik,²⁰⁷ and Géza Vermès. Grounded on CD, which states that the movement arose 390 years after the destruction of Jerusalem, and

²⁰⁰ Frank Moore Cross, *The Ancient Library of Qumran and Modern Biblical Studies*; 3rd ed. (Sheffield: Academic, 1995); Hartmut Stegeman, *The Library of Qumran: On the Essenes, Qumran, John the Baptist, and Jesus*; Eng. trans. (Grand Rapids: Eerdmans; Leiden: Brill, 1998).

²⁰¹ Norman Golb, *Who Wrote the Dead Sea Scrolls? The Search for the Secret of Qumran* (New York: Scribner, 1995).

²⁰² Timothy H. Lim and John J. Collins, 'Introduction: Current Issues in Dead Sea Scrolls Research,' in *Oxford Handbook of the DSS*, 1-18, (3).

²⁰³ Daniel Stökl Ben Ezra, 'Old Caves and Young Caves: A Statistical Reevaluation of a Qumran Consensus,' *DSD* 14 (2007): 313-33.

²⁰⁴ Eliezer L. Sukenik, *Megillot Genuzot: Mi-tokh Genizah Kedumah she-Nimtse'ah be-Midbar Yehudah*; 2 vols. (Jerusalem: Bialik, 1948-50), 1:16.

²⁰⁵ *The Dead Sea Scrolls* (New York: Viking, 1955).

²⁰⁶ Cross, *Ancient Library*.

²⁰⁷ *Dix ans de découvertes dans le désert de Juda* (Paris : Editions de Cerf, 1957).

references in the Pesharim to a wicked priest, it was argued that the Qumran community seceded from the Jerusalem Temple when the Hasmoneans usurped the High Priesthood. This theory has come under scrutiny, with John Collins noting that the community as described in the Scrolls is not a uniform entity, with CD referring to people living in camps throughout the land, who marry and have children, though this was not true of all members (CD 7).²⁰⁸ Serekh says nothing about women or children, though it does state that where there are ten members, there should be a priest (1QS 6.3-4). 1 QS 8.11-15 describes a retreat to the desert, though whether this refers to the founding of the community remains uncertain. The archaeological evidence does not assist attempts to identify the community or its history.

While the original hypothesis that the DSS formed the library of a community, probably of Essenes, who lived at Khirbet Qumran, still prevails, they are no longer viewed solely in the context of this Qumran settlement. Members of the sect did not only live on site, and the DSS contain material which was not written by the sectarian community. While this chapter will focus most closely on material from Serekh, CD and the Hodayot, other texts which relate to the use of דרש and מדרש, particularly where there is a sense of interpretation of a text, will be examined, namely 4Q249 and 4Q375. In so doing, an overall picture will emerge of how the terms are used in the DSS as a whole, as well as how the *yahad* understood דרש and מדרש.

²⁰⁸ John J. Collins, *Beyond the Qumran Community: The Sectarian Movement of the Dead Sea Scrolls* (Grand Rapids: Eerdmans, 2010).

3.2 Key occurrences of דרש in the DSS²⁰⁹

This section will examine how דרש is used in the *Rule of the Community* and the *Damascus Document*. This discussion shall include a closer examination of דרשי החלקות and דורש התורה, two phrases which provide insight as to how the community viewed the Torah and its interpretation.

3.2.1 Serekh: A studying community

There are ten occurrences of דרש and three occurrences of מדרש in 1QS, as well as some further occurrences in copies of Serekh which have been found among the Cave 4 manuscripts. One possible function of Serekh was to serve as a record of judicial decisions, and a report of ordinary traditions. This is different from a rule book as such; community decisions were taken on the authority of the *rabbim* (1QS 6.8-13), or the sons of Aaron (1QS 9.7). This document, especially in its central passage, both physically and spiritually (1QS 6-8), presents constant study of Torah as foundational to the Qumran way of life, building on the opening lines of the text: לדרוש אל לב ובכח נפש לעשות הטוב והישר לפניו; ‘in order to seek God with [all (one’s) heart and] with a[ll (one’s) soul;] in order to do what is just and good in his presence’ (1QS 1.1-2). The community’s commitment to Torah is emphasised in slightly different wordings in all the introductions (1QS 1.1; 5.1; 4QS^b 5.1//4QS^d 1.1; 1QS 8.1-2).²¹⁰ I argue that, for the sect, the best way to seek God is to study God’s

²⁰⁹ Translations of the DSS, are taken from Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (Leiden: Brill; Grands Rapids: Eerdmans, 2000).

²¹⁰ Sarianna Metso, *The Textual Development of the Qumran Community Rule* (Leiden: Brill, 1997), 122. Ben Zion Wacholder, *The New Damascus Document: The Midrash on the Eschatological Torah of the Dead Sea*

law, highlighting two key occurrences of **דרש** in the text: the importance of seeking God (1QS 1.1); and that the way of the Lord (see Isa 40.3) is **מדרש תורה** (1QS 8.15).

The term **דרש** occurs in the first line of the scroll, where the community is encouraged ‘to seek God with all their heart and soul’ (1QS 1.1). This usage of **דרש** almost equates seeking God with the *Shema*, which encourages the Israelite to love God with all his or her heart and soul. This same vocabulary is used in a similar phrase from CD 1.10, ‘they sought God wholeheartedly’. While this is the only case in the Scrolls of God being the direct object of **דרש**, on several occasions God can be inferred as the object through the use of a pronoun.²¹¹ This phrase sets out the community’s purpose: to seek God ‘in order to do what is good and upright before him as he commanded by the hand of Moses and by the hand of all the prophets’ (1QS 1.1-3). This is not a particularly remarkable statement. As Carol Newsom notes, ‘It would be difficult to find any Jew of the Second Temple period who would disagree with the centrality of these matters or with the way in which they were expressed.’²¹² The desire is not simply to seek God, but to seek God with a purpose – in order to do what is good and upright. This highlights the importance of the verb, as **לדרוש** provides the orientation for the entire introduction. The further occurrences of **דרש** in the text of Serekh provide further insight into this opening verse.

Scrolls: Reconstruction, Translation and Commentary (Leiden: Brill, 2007), 117 also stresses the importance of Torah is indicated by the titles of the document, seeing a parallel with Ezra 7.10, which he argues urges the study of the Torah of the Lord.

²¹¹ CD 1.10; 6.6; 1QH 4.6; 12.6, 14.

²¹² Newsom, *Self*, 69.

In 1QS 5, the term **דרש** occurs twice: 1QS 5.9: **הכוהנים שומרי הברית**; 'the priests who keep the covenant and interpret his will and to the multitude of the men of their covenant'; and 1QS 5.11: **כיא לוא החשבו בבריתו כיא לוא בקשו ולוא דרשהו בחוקיה לדעת**; 'for they are not included in his covenant for they have neither sought nor examined his decrees in order to know the hidden matters in which they err.' The latter passage employs both **בקש** and **דרש** in the same phrase, something which is uncommon if not unique, suggesting a slightly different nuance in the meaning, and lending weight to the argument that **דרש** carries an interpretive function at Qumran. The objects of **דרש** in the passage are **רצונו** 'his will' and **בחוקיהו** 'his decrees', the latter phrase recalling Ps 119.155.

The passage outlines the conduct expected of the men of the covenant/community, and contrasts this with the men of injustice who walk on the path of wickedness. The first verse suggests that interpretation of Scripture by genuine Zadokites is accepted (as they are men of God).²¹³ The chief reason for study is to seek God's will; they need not only to obey the will, but also know what the will of God entails. In contrast to those who seek God, the men of injustice are excluded for not searching for the hidden matters (**הנסתרות**) in which they err, and have treated the revealed things (**נגלה**) with disrespect (1QS 5.11-12). The phrase evokes Zeph 1.6: 'Those who have turned back from following the Lord, who have not sought the Lord, nor enquired of him' (**לא בקשו את יהוה ולא דרשהו**). In this

²¹³ Alfred Robert Clare Leaney, *The Rule of Qumran and its Meaning: Introduction, translation, and commentary* (London: SCM, 1966), 46.

passage, the opponents of the sect are defined by how they do not act: they do not seek the Lord's decrees in order to know the hidden things, and they treat the נגלה with disrespect.²¹⁴ This raises the possibility that the schism between those who seek God and the men of iniquity is found in the different attitude the sect adopts to Scripture. Furthermore, the hidden things are not beyond the men of injustice in principle.²¹⁵

The precise nature of the study to which 1QS 5.11 refers remains unclear.²¹⁶ There is debate on the correct translation of this phrase. Lawrence Schiffman reads 'laws' as the object of both verbs and translates: 'for they did not search and did not study his laws'.²¹⁷ Géza Vermès, taking a different approach, reads: 'they have neither inquired nor sought after Him concerning His laws'.²¹⁸ Schiffman's translation is the most accurate as it follows the allusions to Zeph 1.6 most closely. Typically of the DSS, seeking after YHWH is interpreted as study of Torah.²¹⁹ The community at Qumran saw itself as being in a privileged position of receiving the true revelation of things which were hidden from the rest of Israel (*nistarot*), but were revealed to the community, while the *nigleh* was revealed to the whole of Israel. However, the sectarians believed that the hidden things could be discovered by searching Scripture (דורש תורה), an activity to which the community appeared to devote considerable time (see 1QS 6 below).

²¹⁴ The *nigleh*, that which is revealed, is information which is available to all – what is in the Scriptures. This is in contrast to the *nistarot*, which are only available to the sect, based on their interpretation of the *nigleh*.

²¹⁵ Charlotte Hempel, 'The Community and its Rivals according to the *Community Rule* from Caves 1 and 4,' *RevQ* 21 (2003): 47-81, (61). Further, 1QS 8.15 directs the covenanters to keep apart from the men of injustice and withdraw in order to study the law (מדורש תורה).

²¹⁶ Fraade, 'Looking,' in *Biblical Perspectives*, 64.

²¹⁷ Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: The History of Judaism, The Background of Christianity, The Lost Library of Judaism* (New York: Doubleday, 1995), 247.

²¹⁸ Géza Vermès, *The Dead Sea Scrolls in English* (Harmondsworth: Penguin, 1962), 79.

²¹⁹ See 1QS 8.15; Leaney, *Rule*, 172.

The current passage suggests that the reason for the schism between those who seek God and the men of iniquity lies in the different attitude the sect adopts to Scripture. The men of iniquity are those who have not ‘sought or searched his laws’. This consultation of the hidden precepts of God was to be done in order to know the hidden things. The *yahad* was not therefore simply rejecting those who neglected the study of Scripture, but people who adopted a different approach to scriptural interpretation.²²⁰ It must be recognised that the object of דרש in this instance is not Torah, but חוק, so while there is a distinction to be drawn between דרש and בקש, in this particular instance, the object is not the scriptural text, but the regulations of the community. The חוקים may indeed be a reference to the hidden things.²²¹

Further down, column 5 presents an examination of a prospective member: 1 QS 5.20-21: ודרשו את רוחם ביחד בין איש לרעהו לפי שכלו ומעשיו בתורה; ‘they shall examine their spirits in the Community, one another, in respect of his insight and of his deeds in law’. In this case, the object of דרש is a person, whose worthiness to (re)join the *yahad* is being examined. The connection between the act of investigating (דרש) and that of judging is clear (see Isa 16.5 – judge and seek justice). Based on the reading of the interpretation of the *nistarot* and *nigleh*, it follows that members of the sect would be examined on their understanding of these matters, and that their conduct would meet the standards expected of the ‘men of the

²²⁰ Patte, *Early*, 215.

²²¹ See Patte, *Early*, 214-5.

covenant.’ The testing of a new member includes knowledge of the statutes of the sect, and whether they are familiar with the process for attaining these statutes.²²²

This passage establishes the importance of seeking God, and seeking Torah. The objects of דרש (the will of God and the statutes of God) are to be sought by members of the community, though the processes of such searches have not yet been outlined.

3.2.1.1 1QS 6.6-8: ‘A man to interpret the law day and night’

1QS 6.6-8 has two occurrences of דרש; the first refers to the constant presence of a person *interpreting* the law, day and night; with the second indicating that the Many spend a third of the night in the tripartite activity of reading the book, *interpreting* and blessing. The passage lies at the heart of the *Rule of the Community*, as the ideal all other regulations support and protect. 1QS 6.6-8, in particular, outlines that constant study is central to the *yahad*’s way of life, and the community have produced the literary output to prove this is the case.²²³ 1QS 6.6-8: ימש במקום אשר יהיו שם העשרה איש דורש בתורה יומם ולילה תמיד על יפות איש לרעהו והרבים ישקודו ביחד את שלישית כול לילות השנה לקרוא בספר ולדרוש משפט ולברך ביחד; ‘And in the place which the Ten assemble, there should not be missing a man to *interpret* the law day and night, always one relieving another. And the Many shall be on watch together for a third of each night of the year in order to read the book, *explain* the regulation, and bless together.’

²²² While this sense with the verbal form is less frequent, the nominal form מדרש most often carries this sense in Serekh, as will be discussed more fully in the section on Midrash.

²²³ Benedict T. Viviano, ‘Study and Education,’ *EDSS* 2:896-898.

The first task is to determine whether the text is best read conjunctively, or disjunctively, whether the document prescribed a single study session presided over by an interpreter, or whether the study session of the Many is distinct from that undertaken where ten assemble. A conjunctive reading of the Hebrew rulings would signify that the second part amplifies the implications of the first, with the man interpreting Torah presiding over the nightly study.²²⁴ A disjunctive reading is also supported by the Hebrew; CD 13.2-4 supports such a reading, with the *waw* read as ‘but’ rather than ‘and’, indicating that the first rule applies to the man interpreting Torah in a small community cell, while the second refers to a separate gathering of the Many.²²⁵ 1QS 6.6-7 requires that any representative of the community council numbering ten contains someone learned in the interpretation of authoritative texts. Moreover, the ‘priest’ (אֵלֹהִים כֹּהֵן) of CD becomes a man who interprets Torah in 1QS 6.6, suggesting a role in engaging the others in Torah study.

Sarianna Metso notes the distinction between the three verbs denoting what she terms kinds of study and their direct objects: קָרָא denotes recitation with its object ‘Book’ most likely referring to the biblical text or Pentateuch (see Jos 1.8 סֵפֶר הַתּוֹרָה).²²⁶ Of the three verbs, reading is often overlooked. Explicitly mentioned in Neh 8.1-8, which is of significance, reading could simply mean recite or read from memory. George Brooke has noted that the verb קָרָא is quite commonly used in relation to texts and study skills that were possibly endorsed in the sectarian communities gathered for study.²²⁷ Reading seems to involve more than recitation

²²⁴ Such a reading is supported by Vermes, *The DSS*, 77; and Michael Wise, Martin Abegg Jr., Ed Cook. *The Dead Sea Scrolls: A New Translation* (London: Harper Collins, 1996), 124-5.

²²⁵ Leaney, *Rule*, p. 185, and Martin S. Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism 200BCE – 400CE* (Oxford: University Press, 2001), p. 32, support the disjunctive reading.

²²⁶ Sarianna Metso, *The Serekh Texts*, LSTS 62 (London T & T Clark, 2007), 64.

²²⁷ Brooke, ‘Reading,’ 143.

from text or memory; it seems to involve comprehension and even some kind of active engagement with the text as it was performed.²²⁸ This reading, or oral performance, could be the first act in the study session, perhaps including the offering of comments or glosses.²²⁹

דרש 'designates an act of exposition, but the question is: "does its object משפט, here translated as 'ruling', also refer to the biblical text ... or does it refer to some other entity?"²³⁰ This same question is posed by Jaffee, who responds by following Schiffman's understanding of משפט as a

technical term in CD and 1QS denoting behavioural prescriptions particular to the community. The Ruling, on this reading, is in some sense the preserved record of the periodic disclosure of 'things hidden' from all Israel and 'disclosed' to the *Yahad* in their collective textual studies according to the Ruling of each time' (למשפט עת ועת וכמשפט; CD 12.21).²³¹

Ongoing study was a ritualised part of the community's collective life, an assertion which is supported by the stipulation that the priest be the first to bless the bread and wine at the common meal following the decree on studying the Torah. In addition to the phrase from Josh 1.8, Fraade notes the allusion to Ps 1.2: 'on his law they meditate day and night'. While the biblical text speaks of the Torah never ceasing from Joshua's lips, Serekh speaks of never ceasing to be a 'man who studies Torah'.

There is a contrast between the biblical injunction to utter words, and Serekh, where

²²⁸ Brooke, 'Reading,' 145. See also, André Lemaire, 'Lire, écrire, étudier à Qoumrân et ailleurs,' in *Qoumrân et le Judaïsme du tournant de notre ère: Actes de la Table Ronde, Collège de France, 16 novembre 2004*, ed. by André Lemaire and S. C. Mimouni (Louvain: Peeters, 2006), 63-79.

²²⁹ Bilha Nitzan, 'Ancient Jewish Traditions of Biblical Commentary in Qumran Literature,' in *With Wisdom as Robe: Qumran and Other Jewish Studies in Honour of Ida Fröhlich*, ed. by Károly D. Dobos and Miklós Köszeghy; HBM 21 (Sheffield: Phoenix, 2009), 288-300, (288-289) describes how some compositions integrate their comments within the scriptural text, which would allow for the explanation that they were composed during a session where Scripture was read and exegeted in congregation.

²³⁰ Metso, *Serekh*, 64.

²³¹ Jaffee, *Torah*, p. 36; see Schiffman, *Halakhah*, 42-49.

studying leads to teaching the community how to conduct themselves.²³² The allusion to Ps 1.2 is important, as in addition to the recitation, something more is happening here, even beyond the meditation proposed by the psalmist.

The presence of **משפט** as the object suggests that it was not only Torah which could serve as the object of **דרש**. Jaffee sees **משפט** as a source of teaching in its own right and **דרש** (expounding) it as a matter of applying and extending the Ruling itself. The successive revisions of both 1QS and CD are cited in support of this opinion and lead Jaffee to conclude:

this passage assumes the existence of an authoritative body of written texts related to, but separate from, the laws encoded in the Torah. It is the corpus of inner-communal ‘disclosures’, rather than the unadorned scriptural text itself, that undergirds the specific form of life that distinguishes members of the community from those beyond the perimeter.²³³

Florentino García Martínez²³⁴ has argued that the activity of the IL was taken as of equal authority with the books of the Law and the Prophets, which suggests that the activity of **דרש** might have concerned three authoritative sources: the Law, the Prophets, and the insights of the IL.

The overlaps between 1QS 6.6-8 and Ezra-Nehemiah (specifically Neh 8.2; Ezra 7.10) indicate that 1QS 6.6-8 could refer to communal study of the biblical text.²³⁵ Alternatively, Schiffman takes **משפט** to mean divine law, or, more specifically, the community’s own revelations, which are determined by exegesis of

²³² Steven D. Fraade, ‘Interpretive,’ 56.

²³³ Jaffee, *Torah*, 36.

²³⁴ Florentino García Martínez, ‘Rethinking the Bible – Sixty Years of Dead Sea Scrolls Research and Beyond,’ in *Authoritative Scriptures in Ancient Judaism*, ed. by Mladen Popović; JSJSup 141 (Leiden: Brill, 2010), 19-36, (34-35).

²³⁵ Metso, *Serekh*, 64-65; Charlotte Hempel, ‘Interpretive Authority in the *Community Rule* Tradition,’ *DSD* 10 (2003): 59-80, (66).

Scripture.²³⁶ Fraade,²³⁷ noting the occurrences of the terms together in Isa 1.17 and 16.5, posits that the phrase could mean to ‘seek judgement’, which, while it might fit other occurrences of שׁרר in Serekh, does not fit the profile of 1QS 6.6-8, where engagement with, or exposition of, a text is in view. The passage describes either general inquiry into Scripture or exegetical activity deriving communal laws from Torah. Whether the term משפּט refers to the scriptural text, or to rules derived from the scriptural text, 1QS 6.6-8 provides evidence of communal revelation and study of written texts, using the term שׁרר to describe that study. Thus, the most likely sense of שׁרר in this verse is some kind of exegetical activity. There is clear reference to a book (ספּר), which in the DSS indicates various authoritative works: the Law, the Prophets, Jubilees (CD 16.3), The Book of Life and the Book of Hagu.²³⁸ The term שׁרר משפּט therefore is most likely used to indicate the development of laws via searching in the Scriptures.

The third activity, blessing (ברך) may place the study in a liturgical setting. Such a setting would also explain the timing of the study session, which took place at night, a time when the altar in Jerusalem was inactive.²³⁹ This would mean that the textual study supplements the Temple system. An important link may be drawn to Ezra here, where the community engaged in public recitation of Torah having

²³⁶ Schiffman, *Halakhah*, 42.

²³⁷ Fraade, ‘Looking’, 66.

²³⁸ Lawrence H. Schiffman, ‘Memory and Manuscript: Books, Scrolls, and the Tradition of the Dead Sea Scrolls,’ in *New Perspectives on Old Texts: Proceedings of the Tenth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 9-11 January, 2005*, ed. by Esther G. Chazon, B. Halpern Amaru, and Ruth Clements; STDJ 88 (Leiden: Brill, 2010), 133-50, (138-141). For an identification of the Book of Hagu, the two most likely translations are a synonym for Torah, or that the book of Hagu contained the basic commandments and customs of the sect. The book of Hagu appears in addition to all the rulings of Torah in CD 14.7-8, which suggests a distinction between the two. The second proposal, that it contains the customs of the sect, is more plausible.

²³⁹ Jaffee, *Torah*, 35.

returned from Exile at a time when the Temple was not yet rebuilt. As the community were not able to participate in the Temple cult, the study sessions may have been the community's attempt to overcome this lack in its worship. The blessing may have included the endorsement of the interpretation involved in the study of Scripture.²⁴⁰ Many of the blessings at Qumran rely heavily on scriptural traditions, mostly from other poetical, liturgical, or prophetic texts. Together with קרא and ברך, דרש covers nearly all the interpretive activity which took place at Qumran. The latter of these terms serves as the endorsement for the reading (how the community might designate its re-interpretation of written texts) and interpretation, the study of the Law and the Prophets.

The particulars of the study mentioned in 1QS 6 remain vague. It is possibly an exegetical activity that generates from the Torah itself, as a kind of midrashic application, a normative prescription for explicitly communal behaviour.²⁴¹ The general disinterest of Qumranic texts, however, in using the literary form of exegesis to link communal rules to laws mitigates this very interpretation.²⁴² This may mean that there is an authoritative body of texts in existence related to, but separate from, the laws encoded in the Torah. According to Jaffee,

it is the corpus of 'inner-communal' disclosures, rather than the unadorned scriptural text itself, that undergirds the specific form of life that distinguishes members of the community from those beyond the perimeter.²⁴³

Metso recognises that while the precise nature of the study sessions is unknowable, the DSS do provide some clues, suggesting that the Pesharim could have been created in study sessions, and remarking that 'the passage in 1QS VI, 6-7 gives evidence of

²⁴⁰ Newsom, *Self*, 191-246.

²⁴¹ Such a view has been consistently proposed by Schiffman, see, for example, *Halakhah*, 75-76.

²⁴² Jaffee, *Torah*, 36. See also Fraade, 'Looking,' 76.

²⁴³ Jaffee, *Torah*, 36.

communal recitation and study of written texts'.²⁴⁴ The illuminating part of the task is that the study is not limited to one individual, or indeed to a small group of the community leadership, but that study of the Torah is the task of the community as a whole.

The common identity of the community, as proposed by this passage, is built around common practices and rituals, which sanctify and give meaning to the life of the individual as part of the sectarian community.²⁴⁵ The passage highlights the importance of study for the community, and how the act of studying has become ritualised, taking place in a nightly study session, alongside the activities of reading and blessing. Moreover, an important new sense is that of **משפט** as an object, suggesting that not only was the Torah/biblical text a suitable object of **דרש**, but also the community's regulations, or the results of its biblical interpretation.

The Many are required to establish a nightly study-watch throughout the year, comprised of three acts: reading, interpretation, and blessing. Thus textual study is a collective act incumbent on the whole community and to be continuously maintained in the community, even to be carried out during one third of the night.²⁴⁶ The consequence of this interpretation was new revelation and divine guidance during the era of Belial, in which the community thought it was living (1QS 2.19; 1.23; CD 6.14; 12.23). The passage emphasises the continuity or regularity of the study of the law,

²⁴⁴ Metso, *Serekh*, 65.

²⁴⁵ Alexei Sivertsev, 'Sectarians and Householders,' *The Dead Sea Scrolls at 60: Scholarly Contributions of New York University Faculty and Alumni*, ed. by Lawrence H. Schiffman and Shani Tzoref; STDJ 89 (Leiden: Brill, 2010), 247-69, (265).

²⁴⁶ Metso, *Serekh*, 22.

underlining its centrality to the Qumran community.²⁴⁷ This study session allowed the community's teachings and interpretations to be promoted.

3.2.1.2 1 QS 8.10-16²⁴⁸: Preparing a Way of Study

In this passage, there are two phrases in particular which merit investigation, the first referring to an 'interpreter', אִישׁ הַדּוֹרֵשׁ, and the second to מִדְרַשׁ הַתּוֹרָה, which is held to be part of the interpretation or enactment of the prophecy in Isa 40.3:

1QS 8.11-12: וְכֹל דְּבַר הַנִּסְתֵּר מִיִּשְׂרָאֵל וְנִמְצְאוּ לְאִישׁ הַדּוֹרֵשׁ אֵל יִסְתַּדְּהוּ; 'And every matter hidden from Israel but which has been found out by the interpreter, he should not keep hidden from them for fear of a spirit of desertion.'

1QS 8.14-15: כַּאֲשֶׁר כָּתוּב בַּמִּדְבָּר פָּנּוּ דֶרֶךְ **** יִשְׁרּוּ בַּעֲרֵבָה מַסְלָה לְאֱלֹהֵינוּ; 'As it is written (Isa 40.3): "In the desert, prepare the way of ****, straighten in the steppe a roadway for our God". This is the study of the Law which he commanded through the hand of Moses'.

The character of the Interpreter, and the activity of studying the law, which will prepare the way for the Lord, are of particular importance and reveal much more about the importance of Torah interpretation for the Qumran community. I contend that this passage presents a community with study at its heart, who sought in the law the correct way for them to prepare the way for the Lord in the wilderness. The

²⁴⁷ Hempel, 'Interpretive,' 62.

²⁴⁸ Shani Tzoref, 'Use of Scripture in *The Community Rule*,' in *Companion*, ed. by Henze, 203-34 names 1QS 8.1-9.26 as the manifesto of the community.

Interpreter is responsible for revealing the נסתרות to full members of the community, who retreat to the wilderness, where they will prepare the path for the coming of the Lord by studying law.²⁴⁹

The character of the Interpreter (of the Law) is introduced in 1QS 8.12. The Interpreter is not to conceal anything which has been hidden from Israel but which he has discovered from the community for fear of a spirit of desertion. Hempel argues that this person does not appear to be an office, individual, or authority, but a single member of the community engaged in study of the law at all times.²⁵⁰ Such an interpretation would suggest that whenever a member is engaged in study and finds a ‘hidden thing’ it should be shared with members of the community immediately. On the other hand, Leaney associated this ‘Interpreter’ with the ‘man who enquires’ in 1QS 6.6, where provision was made for constant exposition of Scripture in any group of ten or more.²⁵¹ It is also the case in this interpretation that any fully-inducted member of the sect was able to carry out this role and receive revelation. The Interpreter in 1QS 8.12 is a person fulfilling one of the functions of the sect, a position which would be filled by different people at different times on a rolling basis, and thus not the same functional role as the one who will appear at the end of days (see 4Q174).

The expounding of Torah was a task which each member of the community was expected to undertake daily. The choice of שרש as the verb to describe this

²⁴⁹ It is probable that the ultimate goal of the study is to find a rationale behind the community’s halakah, though this is not explicitly stated. The community are seeking to find scriptural support for their halakoth, in a manner not dissimilar to the Rabbis some centuries later. Separately, John J. Collins, ‘Forms of Community in the Dead Sea Scrolls,’ in *Emanuel: Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov*, ed. by Shalom M. Paul, Robert A. Kraft, Lawrence H. Schiffman, and Weston W. Fields; VTSup 94 (Leiden: Brill, 2003), 97-111, (99), holds the group mentioned in 1QS 8 to be an elite group, set apart in the midst of the *yahad*.

²⁵⁰ Hempel, ‘Interpretive,’ 65. See 1QS 6.6.

²⁵¹ Leaney, *Rule*, 220.

search is mirrored in the result (מסע). In 1 QS 8.11 מסע is used specifically for the discovery of the נסתרות by the IL. In addition to Schiffman,²⁵² who argues that the legal materials of the sect are the result of sectarian biblical exegesis, Metso has demonstrated how halakic exegesis impacted on the community's activity, though the reverse was probably also the case, with the community's actions prompting the innovation of new halakah.²⁵³ It is likely that the Interpreter was the one responsible for overseeing the community's halakah, either finding the נסתרות himself, or guiding the process of their uncovering. Such a process also fits with the occurrence of מדרש in 1QS 8.15.

The phrase מדרש התורה in 1QS 8.15 has generally been translated by 'study of the law.'²⁵⁴ George Brooke, however, notes that from the internal evidence of the pericope, the matter is ambiguous.²⁵⁵ While 'study of the law' could be the interpretation of 'prepare the way', it could also serve as the interpretation of דרך alone. For the sectarians, study of the law is either the way, or the means of preparing the way, for the Lord. Moreover, the community which edited and copied the scrolls literally lived and walked in the desert following guidelines or halakah obtained through the study of the law.²⁵⁶ The link to Isa 40.3 carries its own significance, as the objective of the community's legalism and searching of Torah was to be ready for the

²⁵² Schiffman, *Sectarian*, 15.

²⁵³ Metso, *Serekh*, 66.

²⁵⁴ For example Johann Maier, *Die Texte vom Toten Meer*, vol. 1 (Munich: Reinhardt, 1960), 37; Jean Pouilly, *La Règle de la communauté de Qumran: son évolution littéraire*; CahRB 17 (Paris: Gabalda, 1976), 127; Leane, *Rule*, 209; Preben Wernberg-Møller, *The Manual of Discipline: Translated and Annotated with an Introduction*; STDJ 1 (Leiden: Brill, 1957), 34; Vermès, *The DSS*, 73.

²⁵⁵ Brooke, 'Isaiah 40:3 and the Wilderness Community,' in *New Qumran Texts and Studies: Proceedings of the International Organization for Qumran Studies, Paris 1992*, ed. by George J. Brooke and Florentino García Martínez (Leiden: Brill, 1993), 117-32, (121).

²⁵⁶ Brooke, 'Isaiah,' 132.

final age.²⁵⁷ The author of 1QS interprets Isaiah's preparation of the 'way' as representing instruction in Torah. Images of 'walking', 'watering,' and 'building' recur in Qumran literature in depictions of desirable or undesirable behaviour associated with proper, and against distorted or insufficient knowledge of Torah. Instruction in the law establishes the 'proper' way along which leaders direct members of the community, leading ultimately to salvation.²⁵⁸ The motivation of the journey into the wilderness is also separation from the company of the men of injustice, suggesting a halakic element, since the preparation of the way in the wilderness is identified with study of the law.²⁵⁹ More than that, the interpretation of Scripture could provide an explanation for the history and suffering of the community, in addition to clarifying its meaning in a time full of expectation for them. What Charlesworth and McSpadden term as the sect's 'pneumatic and eschatological approach to Scripture and their hermeneutic of fulfilment' reveals the very reason behind their life in the wilderness.²⁶⁰ 1QS 8.12-16 appears to refer directly to the exodus to the desert, which is understood symbolically as fulfilling the commandment of Isa 40.3 to prepare a way in the wilderness for the 'End of Days'.²⁶¹ This preparation includes the interpretation of Torah, specifically, to explain it according to sectarian interpretations.

On the evidence of the current passage alone, it is not possible to say that this was the only meaning of מדרש for the Qumran community. Vermès can argue that

²⁵⁷ Johannes A. Huntjens, 'Contrasting Notions of Law and Covenant in the Texts from Qumran,' *RevQ* 8 (1974): 361-80, (380); see also the proposed title of the Damascus Document 'Midrash on the Eschatological Torah' (4Q270 7ii15). One of the reasons for the Isaianic motif is that unlike the Pentateuch tradition, there are no negative connotations with the desert.

²⁵⁸ Tzoref, 'Use,' 213.

²⁵⁹ Hempel, 'Community,' 61.

²⁶⁰ James A. Charlesworth and James McSpadden, 'The Social and Liturgical Dimensions of Psalm Peshier 1 (4QPPS^a): Some Prolegomenous Reflections,' *The Dead Sea Scrolls and the Qumran Community: The Second Princeton Symposium on Judaism and Christian Origins*, ed. by James H. Charlesworth (Waco, TX: Baylor, 2006), 317-349, (317).

²⁶¹ Schiffman, *Reclaiming*, 95.

מדרש is used in 1QS 8.15 in a non-interpretive sense of teaching or enquiry ‘rather than the more common usage connecting it with exposition of the law’.²⁶² In 4QS^{b, d} (מדרש למשכיל על אנשי התורה) – 4Q256 9.1; 4Q258 1.1) the midrash of the men of the law (i.e. men of the community) is said to be the responsibility of the wise leader (משכיל). The overall purpose of the מדרש was to reveal the will of God; and in 1QS 8.10-16, the study activity of the community is placed on par with God’s other means of revelation: the inspired prophets.²⁶³ There is a distinction to be made between this study activity and the prophetic interpretation of the Teacher of Righteousness. מדרש is an activity in which the whole community participates, and the counsel of 1QS 8.12, that the Interpreter reveal all the נסתרות, underlines this fact, which is built on the unity of the sect. Part of being a member of the community is therefore undertaking the practice of its esoteric Torah study, which forms part of the oath taken by new members (1QS 5.8-10; see CD 19.33-20.13). Moreover, to depart from this teaching carries a stiff penalty: removal from the community. In spite of this, a role does remain for special community officers – such as the IL, who may exert an element of control over how the community conducts its ‘Midrash Torah.’

3.2.2 4Q Serekh Texts

The copies of Serekh from Cave 4 indicate that some of the other copies are different and older than 1QS. That the community perhaps held 1QS in more esteem may be because the redaction process provided a scriptural legitimisation for regulations of

²⁶² Geza Vermès, ‘Preliminary Remarks on Unpublished Fragments of the Community Rule from Qumran Cave 4,’ JJS 42 (1991): 250-255, (254); Metso agrees with Vermès’s position, *Textual*, 77.

²⁶³ As, in this example, the text cited is from Isaiah. See also, Fraade, ‘Interpretive,’ 52.

the community, as well as reinforcing its self-understanding.²⁶⁴ Despite 1QS perhaps being the ‘primary’ text, there is evidence that the community appears to have continued to copy a shorter and earlier form of the text, even when the more extensive version of 1QS was available.²⁶⁵

In 4Q258 1.1, which parallels 1QS 5.1 f., the text reads מדרש למשכיל. The same passage in 4Q256 9.1 is only partly extant. ‘Midrash for the instructor [concerning the men of the law who freely volunteer to revert from all evil and to keep themselves steadfast in all] he commanded.’²⁶⁶ The phrase does not have a parallel in 1QS, and the passage does not interpret a specific verse or passage of Scripture, but details rules for living in community, with a particular focus on separation from the men of injustice. The text of 1QS 5.1, וזה הסרך לאנשי היחד, ‘now this is the rule for the men of the community’, suggests that מדרש could be a synonym for סרך. One may speculate that midrash was both the development of and final form of community rules, and that in a later text (1QS), the two were differentiated so that סרך came to mean the rules in their final form, while מדרש was the means of developing these rules.

²⁶⁴ Sarianna Metso, ‘In search of the Sitz im Leben of the Community Rule,’ in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovation, New Texts, and Related Issues*, ed. by Donald W. Parry and Eugene Ulrich (Leiden: Brill, 1999), 306-315, (307).

²⁶⁵ Sarianna Metso, ‘The Redaction of the Community Rule,’ in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment*, ed. by James C. Vanderkam and Peter W. Flint; 2 vols. (Leiden: Brill, 1998-99), 1:377-84, (378). The redaction was, according to Metso, supplementary and clearly motivated. In addition to adding scriptural prooftexts, words and phrases such as ‘the community,’ ‘the eternal covenant,’ and ‘according to his will’ were added, with the purpose of providing scriptural legitimisation for the regulations of the community as well as consolidating the community’s self-understanding as the true guardian of the covenant and keeper of the law (379). While this may contradict those who wish to argue that community halakah was based on study of the Scriptures, it is important to recognise that while scriptural study can produce halakah, halakah also emerges from the daily reality in which people were living.

²⁶⁶ The phrase in brackets is missing from 4Q256 but present in 4Q258.

3.2.3 Conclusions on the use of **דרש** and **מדרש** in Serekh

Two key motifs linked to the term **דרש** occur prominently in Serekh, namely, seeking the Lord, and studying the law. In many respects, ‘seeking the Lord’ is the primary sense of **דרש**, as it is this task which the members are exhorted to do in the first line of the document (1QS 1.1). One of the means by which the community endeavours to seek the Lord is by studying Torah, which in turn leads to new ways of following the Lord, and indeed leads them to prepare the way of the Lord in the desert. Where ten members are gathered in one place, someone must be engaged in study of the law day and night (1QS 6.6), and the entire community is to spend a third of the night studying the regulation (1QS 6.8).²⁶⁷

The *yahad* defined itself as a community which studies and searches Scripture (1QS 5.7-12; 6.6-8). In addition, it saw preparation of the way of the Lord as the study of Torah (1QS 8.15), which resulted in uncovering of the law. Moreover, as the examination of the IL and the Seekers After Smooth Things will demonstrate, the sectarians used Scripture to understand their identity, and set themselves against the wicked, who did not search Scripture correctly. Further, the evidence of 4Q176 suggests that an individual, acting as a representative for the community, searched the Scriptures for words of encouragement and comfort in a time of uncertainty. This fits the mould of the use of **דרש** in 1QS, which describes various study sessions which took place in the sect.

The *yahad* held the study of Scripture at its core, both in terms of self-definition, and with regards to the development and application of laws. This study of

²⁶⁷ For Newsom, *Self*, 69, these verses in particular highlight the importance of Torah study for the community.

the use of **דרש** and **מדרש** in Serekh affirms that the terms were used with reference to the interpretation or study of Scripture, and that such activity was indeed central to the community's self-understanding (1QS 8.15). The *yahad* prided itself on its scriptural study and at least one member was always engaged in study of Scripture (1QS 6.6-8).

3.3 The Damascus Document: A community who seeks God

In the Damascus Document, the term **דרש** occurs eight times and **מדרש** once, with **דרש** used in a variety of senses. In two verses (1.10 and 6.6), there is a reference to the community having sought 'him', who can be inferred to be God. There is one reference to the Seekers After Smooth Things (1.18) and two references to the IL (6.7; 7.18), respectively 'enemies' of the community and a key office holder. A closer examination of these two phrases will follow. Most intriguingly, Ben Zion Wacholder, with the aid of some of the new texts found in Cave 4, sees the last three words of the document, as found in 4Q270 (7ii15), to be revealing:

The last three words of these concluding lines reveal to us, presumably, the book's original title which ... reproduces also the Hebrew name of the work: **מדרש התורה האחרון** 'The Midrash on the Eschatological Torah (MTA)'.²⁶⁸

In this section, I shall focus on the community's seeking of God and propose that one of the principal means by which they sought God was searching Scripture. Within the context of the Damascus Document, they focused on the correct interpretation of the law under the direction of the IL, and separated themselves from the Seekers After Smooth Things, whose interpretation of the law was faulty. Following this, I shall

²⁶⁸ Wacholder, *New*, xix.

consider the merits of Wacholder's hypothesis that the document may be best titled MTA.

Twice in CD, (1.10: כִּי בִלְבָב שְׁלֵם דִּרְשׁוּהוּ; 'they sought him [God] with an undivided heart'; and CD 6.6: כִּי דִרְשׁוּהוּ; 'for they sought him [God]') verbal forms of דִּרְשׁ are used to describe seeking God. In the first instance, because God was sought with an undivided heart (which is positive in terms of the DSS), God raised a Teacher of Righteousness (מֹרֶה צֶדֶק, CD 1.11) in order to direct the community to the path of his heart. This echoes 1QS 1.1, which sets out the community's existence as seeking God with an undivided/whole heart. In the second instance, seeking God is also presented positively, with those who sought God called 'princes'. These occurrences are in line with the use of דִּרְשׁ in the Tanak, and while they provide examples of how the sect may use the term in line with usage in the Scriptures, it is the unfolding of how they seek God that is of most interest to this study.

The opening section of CD, which presents the history of the sect's origins, narrates the beginning against the backdrop of the dichotomy between 'Ephraim' and 'Judah'.²⁶⁹ The link between 'Ephraim' and the Pharisees has been accepted by the majority of scholars,²⁷⁰ those called 'Ephraim' are certainly opponents of the sect, who differ on the correct interpretation of Scripture. The raising of the Teacher provides some rationale for the discrepancies of the sect's halakah in comparison with other Jewish groups of the time. The revelation of נִסְתָּרוֹת, only to the sect, through the exposition of Scripture, allows the sect to follow different halakah to other groups,

²⁶⁹ Menahem Kister, 'Biblical Phrases and Hidden Biblical Interpretations,' in *The Dead Sea Scrolls: Forty Years of Research*, ed. by Devorah Dimant and Uriel Rappaport (Leiden: Brill, 1992), 27-39, (32).

²⁷⁰ See, for example, Menahem Kister, 'Biblical,' 32; John J. Collins, 'The Origins of the Qumran Community: A Review of the Evidence,' in *To Touch the Text: Biblical and Related Studies in Honor of Joseph A. Fitzmyer, S.J.*, ed. by Maurya P. Horgan and Paul J. Kobelski (New York: Crossroad, 1989), 159-78, (176).

with these ‘hidden laws’ taken to be the correct interpretation of Torah. In setting up this opposition at the beginning of the text, the author presents the sect as the ones who are seeking God in the correct manner, unlike their opponents, who seek easy interpretations of Scripture (see CD 1.18).

3.3.1 CD 6.2-11: Digging a well

CD 6.2-11, which has been termed the ‘well Midrash,’²⁷¹ is an interpretation of the song in Num 21.28, with allusions to Isa 59.20, 54.16, and Hos 10.12. With allegory, it describes the origins of the *yahad* in several stages, as well as introducing an individual – the IL – at a pivotal stage in the community’s development.

In this passage, which contains two occurrences of דרש (‘God called them all princes because they sought him’ 6.6; והמחוקק הוא דורש התורה ‘and the staff is the IL’ 6.7), ‘to seek God’ is seen as a positive value and is linked with the study of the law, gleaned from an interpretation of a passage from Num 21.18. The passage recalls the original group of covenanters, who left Judah and went to live in Damascus, from which the document receives its name. In CD 6, the ‘wise men’ dug a well, which CD 6.4 identifies as the law. The passage also mentions the IL, under whose leadership the covenanters dug the well in the land of exile. This digging of the well is code language for the diligent investigation and observance of the law under the leadership of the IL (דורש התורה).²⁷²

²⁷¹ Hempel, ‘Interpretive,’ 66; George J. Brooke, ‘Thematic Commentaries on Prophetic Scriptures,’ in *Biblical*, ed. by Henze, 134-57, (155).

²⁷² Joseph Blenkinsopp, ‘The Qumran Sect in the Context of Second Temple Sectarianism,’ in *New Directions in Qumran Studies: Proceedings of the Bristol Colloquium on the Dead Sea Scrolls, 8-10 September 2003*, ed.

The passage provides a key insight to the community's self-understanding as a study community. The true community went out into the wilderness and sought God, and were instructed by the IL.²⁷³ At a time of desolation, God raised up a righteous remnant, to which the Qumran community is the heir. Both priest and lay members of the community have access to this revelation, with both digging the well which unearths the revelatory teaching. As in 1QS 8.12-16, the community's self-understanding is closely linked to its study of Torah.²⁷⁴ Those who join the community are as much a part of the study community as those who were there since the beginning. The members are expected to take care to follow the exact interpretation of the law in 6.14 (לַעֲשׂוֹת כַּפְרוֹשׁ הַתּוֹרָה); 'to act in accordance with the exact interpretation of the law') and 6.18 (לִשְׁמֹר אֶת יוֹם הַשַּׁבָּת כַּפְרוֹשָׁה); 'to keep the Sabbath day according to its exact interpretation') and 6.20 (לְהַרְיִם אֶת) הַקִּדְשִׁים כַּפִּירוֹשִׁיהֶם; 'to set apart the holy portions according to their exact interpretation'). The searching of the Torah, which is a special function of officers such as the IL, is not limited to these individuals; rather the entire community is expected to undertake the task of searching the Scriptures in order to determine the divine will.

A key role in this enterprise is undertaken by the *mehoqueq* (CD 6.7), who helps open the well, and who is otherwise known as the IL.²⁷⁵ Only by following rules

by Jonathan G. Campbell, William John Lyons and Lloyd K. Pietersen; LSTS 52 (London: T & T Clark, 2005), 10-25, (20).

²⁷³ 1 QS 8.13-16.

²⁷⁴ Fraade, 'Interpretive,' 59.

²⁷⁵ Vermes, *Scripture*, 46. This figure establishes precepts that are considered valid until the coming of an eschatological figure, here called the Teacher of Righteousness. The purpose of this interpretation is also noteworthy: it is to be convincing to insiders, not outsiders, so that while others may have qualms, it is how it is received by other members of the sect that is key.

of exegesis established by the *meḥoqueq* can the community chart a course until the future Teacher of Righteousness will arise to lead them directly again.

While the community's continuing activity of opening the 'well' connects them back to their sectarian foundations, their adherence to the true rules established by the Interpreter of the Law guides them forward to a final teacher in the redemptive end of time.²⁷⁶

These rules, elsewhere revealed from Torah, are the instrument by which Torah is opened. Such an approach can be understood in terms of the ongoing revelatory quality of the community's life and self-understanding. The community conceives of its origins in terms of its acceptance of a divinely ordained set of 'first rules' revealed only to their founders. Once established as a 'community of holiness,' study both of Torah and communal laws constitutes a central practice of its religious life. Through such ongoing study, the Torah is more fully disclosed to them and new, hidden laws are revealed to them to suit their changing circumstances. Even as ongoing revelation characterises the community as whole, it is instituted by certain elite functionaries, significantly, as per this passage, the IL.

An alternative reading has been posited by Wacholder, that in CD 6.4 'the well' means the Torah and its diggers are interpreters, and that *meḥoqueq* refers to both Moses and the IL, whom he deems a futuristic sectarian interpreter of law, also known as the Teacher of Righteousness.²⁷⁷ He argues that the phrase **כִּי [כֻּלָּם] דִּרְשׁוּהוּ**, which he translates 'for they all midrashized it,' might have aroused scorn amongst the sect's opponents. While this last point may be ceded, as it is natural that opponents of the sect would disagree with at least the sect's interpretation and possibly the manner at which it was arrived, the rest of Wacholder's analysis may be

²⁷⁶ Fraade, 'Interpretive,' 61.

²⁷⁷ Wacholder, *New*, 219.

challenged. There is muddled thinking regarding the past or future appearance of the IL. Furthermore, it does not fully countenance the role individual members of the sect have in digging the well. There is a problem with the interpretation of **דרשוהו** as ‘midrashized it’, since **באר** and **תורה** are both feminine, which would require the suffix **הי**. As the suffix is **הו**, the consensus reading of sought him (meaning God) is a better reading. Moreover, in order to match ‘all’ (**כולם**) to the verb, Wacholder moves its placing in the sentence so that it no longer accompanies ‘princes’. The majority reading is preferred, as Wacholder stretches the text too far to add further support to what remains a compelling analysis of the overall meaning of the text.

This passage helps to describe the process by which the **נסתרות** are revealed. According to the allegory based on Num 21.18, the princes and nobility are rulers of the sect, not the IL.²⁷⁸ The IL is sent by God to create the appropriate tools to interpret Torah, which are in turn passed on to members of the sect, whose wise men explain Torah and unearth the hidden things in order to explain the Torah and discover the **נסתרות**. Such an unearthing is only possible by using the tools provided by divine revelation, meaning only members of the sect have access to these tools. The *mehoqueq* is not only a transmitter of divine legislation, he also performs a leadership role, aiding this newly-formed group to interpret and practise God’s law correctly for the age of wickedness.²⁷⁹ The ‘well midrash’ therefore has a dual role: it describes the origins of the community, and introduces the figure of the IL, who came at a pivotal stage in the community’s development.²⁸⁰ Such an understanding is further supported

²⁷⁸ Aharon Shemesh and Cana Werman, ‘Halakhah at Qumran: Genre and Authority,’ *DSD* 10 (2003): 104-29, (109).

²⁷⁹ Philip R. Callaway, ‘Qumran Origins: From the *Doresh* to the *Moreh*,’ *RevQ* 14 (1990): 637-50, (642).

²⁸⁰ Hempel, ‘Community,’ 327.

by CD 7.18, which elucidates the community's self-understanding as closely tied to the study of Torah. This is presented as a two-stage process: firstly, the 'diggers of the well' are the princes of the biblical verse; secondly, the nobles are the people who continue the activity of the original founders. Those who join the community are as welcome and able to study Torah as the founders.²⁸¹ If one can identify the *mehoqeq* as the IL, the person to whom this title refers is an individual from the past, the community founder, who will also be followed in the eschatological era by a final Teacher of Righteousness, or Interpreter, the priest Messiah.²⁸² The IL is therefore both a function and a title, as there was an Interpreter in every local group of the community, and a figure of the past who was the original IL, who will appear in the future and work alongside the Davidic Messiah (4Q174). Such an analysis fits the various occurrences of the IL most neatly, and while the community's own understanding of the figure and role may have developed over time, the Interpreter was undoubtedly a key figure in both the community's origins and legal interpretation, and expected to (re)appear in the final days.

3.3.2 Midrash of the Eschatological Torah?

4Q270 7ii15 reads: הנה הכול ב[תוב] על מדרש [ה]תורה האחרון 'and so then all this is written with regard to the last interpretation of the law.' Wacholder argues this phrase, which occurs at the end of this scroll (מדרש [ה]תורה האחרון) – and partially in 4Q266 11.20-21 – is key, and that the beginning of the work most likely

²⁸¹ Fraade, 'Interpretive,' 60.

²⁸² Vermes, *Scripture*, 54.

contained this phrase.²⁸³ In support, he cites Hartmut Stegeman who expands the formula to ‘This is the final midrash of the law for all the children of light’ (מדרש) (ה)תורה האחרון אל בני אור.²⁸⁴ For Wacholder, it is more likely that הנה is the opening word of the title. One must consider whether this provides an example of midrash used as a title; it would be particularly significant if one of the foundational texts of the community were titled ‘midrash’.

The Damascus Document can be divided into two sections: the first, the Admonition, detailing the pre-history of the group which viewed itself as the true remnant of Israel, and, importantly, the true Israel for the future/eschatological age; and the second, detailing the laws which would pertain in this age.²⁸⁵ The document reflects an advanced stage of legal development in what Baumgarten terms the direction of rabbinic halakah.²⁸⁶ The DSS present a negative view of the Seekers After Smooth Things, and embrace legal traditions which cannot be supported on a literal reading of the Torah. The interpretation of law (מדרש התורה) can be seen as a central concern of the community based on a reading of CD,²⁸⁷ which lends support to the theory that *Midrash haTorah haAḥaron* (MTA) is the title of the text.

While the evidence of midrash forming part of the title is compelling, what exactly is meant by midrash needs to be established. Midrash does not carry the same meaning as during the rabbinic era, yet the evidence of CD strongly suggests it can

²⁸³ Wacholder, *New*, 110.

²⁸⁴ Hartmut Stegeman, ‘Towards Physical Reconstructions of the Qumran Damascus Document Scrolls,’ in *The Damascus Document A Centennial of Discovery: Proceedings of the Third International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 4-8 February, 1998*, ed. by Joseph M. Baumgarten, Esther G. Chazon, and Avital Pinnick; STDJ 34 (Leiden: Brill, 2000), 177-200, (193-94).

²⁸⁵ Hannah K. Harrington, ‘Biblical Law at Qumran,’ in *DSS After Fifty*, ed. by VanderKam and Flint, 1:160-85, (164).

²⁸⁶ Joseph M. Baumgarten, ‘The Damascus Document Reconsidered,’ in *The Dead Sea Scrolls at Fifty*, ed. by Robert A. Kugler and Eileen M. Schuller; SBL Qumran Section Meetings (Atlanta: Scholars, 1999), 149-50.

²⁸⁷ Philip R. Davies, ‘Reflections on DJD VXII,’ in *DSS at Fifty*, ed. by Kugler and Schuller, 151-165, (152).

refer to development of legal material. As can be seen from CD 20.6, which states that conduct of members is to be judged according to the sect's interpretation of Scripture, it seems clear that legal halakah was determined from exegesis, or supported by exegesis of the Torah. However, midrash does not always carry this sense, since it can apply to both legal and non-legal material.²⁸⁸ Taken alongside 1QS 6.24, which speaks of a community examination, and introduces some disciplinary measures, which correlate to material in CD, it is possible to see how the term could be used as a title – in the case of Serekh for a section of the text. Furthermore, midrash can mean the text from which the rules are taken, therefore taking the sense of legal rulings (developed from Scripture).

If MTA is the title of CD, it is possible to see a unifying element in what contemporary scholars have viewed as a somewhat disparate text. What is offered is a 'final midrash of the Torah', or the one which will apply in the eschatological age. The rules are those which the sect promotes, likely those which have been dug up by the IL, or developed in the community's study sessions. Consequently, the sectarians are the only ones with the requisite knowledge to be prepared for the eschatological age.

3.4 'Seekers After Smooth Things' and the Interpreter of the Law

Two key terms which include דרש are the so-called 'Seekers After Smooth Things' (דורשי החלקות) and the 'IL' (דורש התורה). The role of Scripture in the use and

²⁸⁸ Wacholder, *New*, 12.

construction of the epithets should not be underestimated;²⁸⁹ however, more than Scripture, I propose that it is the interpretation of Scripture/Torah which influences the sobriquets, with the sectarians defining both their own community and their (relationship with) their enemies based on their interpretation of Torah, underlining the importance of the sect's interpretation of Scripture to their self-understanding.

3.4.1 Seekers After Smooth Things

The phrase **דורשי החלקות** occurs ten times in the DSS, twice in Hodayot, once in the *Pesher Isaiah*, six times in *Pesher Nahum* and once in 4Q177. A close parallel to the phrase occurs in CD 1.18: **אשר דרשו בחלקות**; 'for they sought easy interpretations [smooth things]'.²⁹⁰ The occurrences in *Pesher Nahum* (4Q169) shed most light on the phrase, a derogatory name used for a group opposed to that of the author. The accusation of 'seeking smooth things' appears in three forms: **דורשי החלקות** (4Q163 23 2.10; 4Q169 3-4 1.2, 7; 2.2, 4; 3.3, 6-7; 4Q177 9.4); **דורשי חלקות** (1QH^a 10.15, 32); and **דרשו בחלקות** (CD 1.18; 4Q266 2 1.21). Outsiders are labelled by the sect to distinguish them from members of the community.²⁹¹ I argue here that the distinction is founded on the respective interpretation(s) of Torah, with opponents of the sect being charged with seeking easy interpretations. Of

²⁸⁹ Matthew A. Collins, *The Use of Sobriquets in the Qumran Dead Sea Scrolls*; LSTS 67 (London: T & T Clark, 2009), 20.

²⁹⁰ The phrase in CD 1.18 uses the verbal form **דרשו**, rather than the construct form. The same phrase occurs in 4Q266 2 i 21.

²⁹¹ Lloyd K. Pietersen, "False Teaching, Lying Tongues and Deceitful Lips" (4Q169 FRGS 3-4 2.8): The *Pesharim* and the Sociology of Deviance,' in *New Directions*, ed. by Campbell, Lyons and Pietersen, 166-181, (176). See also Håkan Bengtsson, *What's in a Name? A Study of Sobriquets in the Pesharim* (Uppsala: Uppsala University, 2000), 37, who argues that the sobriquets were transparent labels, which served to 'corroborate the message'. Given that they have validity within the context only of those who share their viewpoint, they constitute 'insider terminology' (Bengtsson, 39).

secondary, but not unrelated interest, is whether דורשי החלקות can be identified with the Pharisees. While the latter issue has received much comment, it will not be the focus of this investigation, which does not seek to identify the historical figures behind the epithet. However, insofar as it remains relevant to the discussion of the term and its significance, the possibility that דורשי החלקות are the Pharisees will be discussed.

The phrase 'דרשו החלקות' utilises the language of Isa 30.10,²⁹² in which Judah, a faithless and rebellious people, had told its seers not to prophesy what is right but to 'speak smooth things' and Dan 11.32,²⁹³ which speaks of the flattery of smooth words, to portray those who do not heed true prophecy and those who are prone to be seduced by flattery because they violate the covenant. Similarly, the language of the Psalms and Proverbs, in addition to Ezek 12.24, criticises those who speak smooth things, equated with duplicity and deceit, ideas which remain prevalent in the DSS, especially the Hodayot.²⁹⁴ חלקות, carrying the sense of 'smooth', has a negative connotation when connected with words or speech. In the Hebrew text, the phrase can carry the sense of flattery and deceit. The meaning of the phrase דורשי החלקות may not only be flattering things, but also easy ones, as the phrase may relate to

²⁹² 'Who say to the seers, "Do not see," to the prophets, "Do not prophesy truth to us; speak to us falsehoods, prophesy delusions'; אשר אמרו לראים לא תראו ולחזים לא תחזוּלנו נכחות דברוּלנו חלקות חזוּ מהחלות.

²⁹³ 'He will flatter with smooth words those who act wickedly toward the covenant'; ומרשיעי ברות יחניף; בחלקות.

²⁹⁴ See also Ps 12.3: 'Men speak lies to one another; their speech is smooth, they talk with duplicity'; שוא ידברו. And the following verse: 'May the Lord cut off all deceitful lips'; חלקות בלב ולב ידברו. Proverbs 26.28: 'A lying tongue hates the truth, and smooth speech throws one down'; לשון שקר ישנא דכיו ופה חלק יעשה מרחח. Ezek 12.24: 'For there shall no longer be any false vision or flattering divination in the House of Israel'; כי לא יהיה עוד כל-חזון שוא. ומקסם חלק בתוך בית ישראל. In the DSS, see 1QH 4.9-11; 10.34; 12.14; 4Q525 5.6, 7. The 'Scoffer' is also strongly chastised in CD 1.13-21, for among other things 'pouring out over Israel waters of lies' (CD 1.14-15) and seeking חלקות (CD 1.18).

interpreters who search for the easy way out rather than total obedience to laws in the Torah.²⁹⁵

The 'smooth things' therefore contrast with the truth, being easy and appealing, while the matters of truth may appear demanding and uncompromising. The main question is whether these 'smooth things' were the result of scriptural interpretation, which by implication is an attack on the interpretation of Scripture offered by opponents of the sect.²⁹⁶ A clue may be offered by the word דורשי, and whether it relates specifically to searching the Scriptures. It is significant that the word used is derived from דרש and not דבר or שפה, which suggests an interpretive dimension. The sectarians have therefore adapted the biblical phrasing to emphasise their own meaning.²⁹⁷ As the study of דרש in the Tanak has shown, it is the object which determines the value of the searching; similarly, at Qumran, the דורשי החלקות are viewed in a negative light due to the goal of their searching, which can be contrasted to the positive figure of the דורש התורה, whose role will be discussed below. This suggests Torah is an appropriate object of דרש, and that its correct interpretation is of great importance to the sect.

The occurrence of דרשו בחלקות in CD 1.18 supports the idea that Torah is the object. The sectarians accused their opponents of looking to make observance of law less burdensome through their 'easy (false) interpretations'. Hannah Harrington states that this 'may be sarcasm directed against the Pharisees who derived their law

²⁹⁵ James C. VanderKam and Peter W. Flint, *The Meaning of the Dead Sea Scrolls: Their Significance for Understanding the Bible, Judaism, Jesus, and Christianity* (London: T & T Clark, 2002), 276.

²⁹⁶ Albert I. Baumgarten, 'Seekers After Smooth Things,' *EDSS* 2:857-859, (857a).

²⁹⁷ Sidney B. Hoenig, 'Dorshe Halakot in the Pesher Nahum Scrolls,' *JBL* 83 (1964): 119-38, (119).

from Scripture, with an agenda to alleviate its difficulties if possible'.²⁹⁸ The identification of the Pharisees with the **דורשי החלקות** is widely accepted among scholars, however, no specific legal position is attributed to the seekers, to cement such an identity. While in other texts, the Scoffer²⁹⁹ is accused of lying and misusing speech in various ways, including tearing down 'firmly established things', there is nothing to identify specifically with the Pharisees, a case for which must be made via other texts. It is clear that in place of seeking God wholeheartedly (CD 1.10), these people have sought 'smooth things'.

It is possible that **חלקות** may be a pun on the term 'halakah',³⁰⁰ meaning the phrase must refer to scriptural interpretation, and pinpointing scriptural interpretation as the source of halakah for the sect. John Meier, however, argues that the term 'halakah' does not appear in the DSS, nor is there any textual evidence for its usage in the centuries at the turn of the Common Era.³⁰¹ Martin Jaffee flatly dismisses claims that the term is found in the DSS.³⁰² This places doubt on the efficacy of **דורשי החלקות** as a pun for the Pharisees' lax interpretation of halakah, since, if the term was unknown at the time of writing, the pun would not have been comprehensible. Furthermore, on the only two occasions where the noun halakah may occur in the DSS, it is used in a positive sense (1QS 1.25 – candidates seeking membership of the community; 1QS 3.9 – in a positive sense of a person joining the community). Thus, even if the term is used in the DSS, it is in the sense of 'walking', 'conduct',

²⁹⁸ Harrington, 'Biblical,' 165.

²⁹⁹ The Scoffer is the leader of the sect's opponents (see CD 1.14), also called a liar and a spouter of Lies (Collins, 'Origins,' 176).

³⁰⁰ Stephen Goranson, 'Others and Intra-Jewish Polemic as Reflected in Qumran Texts,' in *The Dead Sea Scrolls After Fifty Years*, VanderKam and Flint, 2:487-533, (542). Newsom, *Self*, 308.

³⁰¹ John P. Meier, 'Is there Halaka (the noun) at Qumran?' *JBL* 122 (2003): 150-155, (154).

³⁰² Jaffee, *Torah*, 43, states that the earliest appearance of the term is in Mishnah-related literature of the third century CE.

‘behaviour’, and not the later technical rabbinic sense.³⁰³ Nonetheless, even if the sect did not name their enterprise ‘halakah’ they were certainly engaged in deriving laws from the scriptural text, and did use the term דרש to refer to this enterprise. While attempts to confirm the designation of the Pharisees as the דורשי החלקות require more work, the use of דרש to refer to scriptural exegesis is supported.

A second possibility, given the links in the scriptural text of חלקות with prophetic utterances, is that the term does not refer to false exegesis, but to false prophecy. This however, would undermine the Qumran view of the life of their opponents being governed by ‘easy interpretations’ of Torah and a penchant for finding loopholes.³⁰⁴ If criticism of their opponents was for their interpretation and application of Torah, then it makes more sense to see the term דורשי החלקות as referring to Torah and not prophecy. Furthermore, if the Pharisees are being attacked over the ‘oral Torah,’ the term fits more neatly with its prophetic antecedents. It is through their speech that the דורשי החלקות mislead, by their smooth, deceitful talk, which brings to mind an early Pharisaic oral Torah. James VanderKam allows that:

At the least one may say that their Essene opponents from Qumran and those that produced the Damascus Document insulted them by using epithets that highlight the abuse of speech – something that is not the case for their treatment of other enemies.³⁰⁵

This suggests the Pharisees were especially associated with at least an oral form of teaching in late Second Temple times.

³⁰³ Meier, ‘Halaka,’ 155.

³⁰⁴ Jaffee, *Torah*, 44.

³⁰⁵ James C. VanderKam, ‘Those who look for smooth things, Pharisees, and Oral Law,’ in *Emanuel*, ed. by Paul et al, 465-77, (470).

The two occurrences in Hodayot confirm that the Seekers After Smooth Things are enemies of the sect and present an image of a group who misinterpret the Torah. In these passages, arguments centring on the misuse of language are to the fore, with opponents presented as an organised group, or congregation (1QH 10.32). The verb **דרש** certainly has overtones of the act of interpretation, and while *halakah* is not a term used by the *yahad*, it could, as Newsom notes, be used mockingly with reference to the technical terminology of its rivals.³⁰⁶ While the flatterers are undoubtedly opponents of the author of the Hodayot, it is their manner of seeking which places them in opposition. The opponents are those who do not prepare the way (1QH 8.13; 9.19-20 [Isa 40.3]), nor do they walk in the way of his heart (1QH 12.18, 25; 14.10, 24).³⁰⁷ Rather, they seek God among idols (1QH 12.15) and search with a double heart (1QH 12.14). Additionally, in 1QH 10.34, there is a reference to the Teacher being an object of contempt and reproach in the mouth of all **דורשי רמיה**, ‘seekers of deceit,’ another name for enemies of the sect.³⁰⁸ The ones who seek ‘smooth things’ are deceitful in their enterprise. ‘They change your law which you engraved in my heart for **הלכות** for your people’ (1QH 12.10-11). The sectarians have different pejorative designations for their opponents which provide some clues, if not to their identity, to the kind of things which evoke the ire of the community.³⁰⁹ One of these, I contend, was the false interpretation of Torah. In addition to their false searching/interpretation of Torah, they seek the Lord with a double heart (1QH

³⁰⁶ Newsom, *Self*, 308.

³⁰⁷ Julie A. Hughes, *Scriptural Allusions and Exegesis in the Hodayot*; STDJ 59 (Leiden: Brill, 2006), 123.

³⁰⁸ Collins, *Use*, 113, and Michael A. Knibb, *The Qumran Community* (Cambridge: University Press, 1994), 171-72, argue that these could be regarded as synonymous, or interchangeable, designations.

³⁰⁹ Philip R. Callaway, *The History of the Community at Qumran: An Investigation* (Sheffield: JSOT, 1988) argues that the author of the Hodayot uses biblical imagery to present his opponents as evil, meaning it is difficult to say anything about the identity of the author or opponents (192).

12.14), among idols (1QH 12.15), and in the mouth of prophets of fraud attracted by delusion (1QH 12.16), not as they should in the Torah.

The citations from *Pesher Nahum* are of most relevance in deciding if ‘Seekers After Smooth Things’ is a reference to the Pharisees, something taken to be a truism of scholarship.³¹⁰ VanderKam argues there is enough information in *Pesher Nahum* to reveal the identity of the Seekers After Smooth Things.³¹¹ This would indicate that the Pharisees searched the Scriptures for ways in which to conduct themselves (*halakot*), choosing to search for smooth or easy things (*halaqot*), taking the easy way out. While the Pharisees are perhaps the most likely group to fit the description attached to the Seekers After Smooth Things, the use of the term by the *yahad* may be more of a catch-all term, which can be directed at different opponents as circumstances dictate. Outsiders are labelled to distinguish them from community members, and Scripture is interpreted in such a way as to label all those outside the community as wicked covenant violators.³¹²

The ‘Seekers After Smooth Things’ are incontrovertibly enemies of the sect, due to their interpretation of Scripture, taking an easier route than the sect. While the term *halakah* may not inspire the sobriquet per se, it cannot be denied that the phrase has biblical roots, linked to Isaiah (and other texts). While it is a truism to pinpoint the

³¹⁰ Joseph M. Baumgarten, ‘The Law and Spirit of Purity at Qumran’ in *The Bible and the Dead Sea Scrolls: Scripture and the Scrolls*, ed. by James A. Charlesworth (Waco: Baylor, 2006), 93-105, (95). David Flusser, *Qumran and Apocalypticism*; vol. 1 of *Judaism of the Second Temple Period*; transl. Azzan Yadin; Eng. ed. (Grand Rapids: Eerdmans; Jerusalem: Hebrew University Press, 2007), 218-20 follows the scholarly consensus, adding that other sources refer to the Pharisees as hypocrites (b. Qidd. 66a; Matt 23.2-3). The Pharisees are believed to have obtained the allegiance of the majority of Jews, a view supported by the accounts of Josephus and later rabbis. The phrase *החלקיה דורש* highlights the Pharisees’ hypocrisy, as outlined in their ‘fraudulent teaching’. Anthony J. Saldarini, *Pharisees, Scribes and Sadducees in Palestinian Society: A Sociological Approach* (Wilmington, DE: Michael Glazier, 1988), 279, notes that ‘The identification of the “seekers after smooth things” and “Ephraim” with the Pharisees is common in the literature, but hardly certain. The 800 opponents crucified by Jannaeus are not called Pharisees by Josephus ... and the opponents of Jannaeus in Josephus and the pesharim need not be identified with one of the three schools of thought listed by Josephus.’

³¹¹ VanderKam & Flint, *Meaning*, 277.

³¹² Pietersen, ‘False,’ 176-78.

Pharisees as the Seekers After Smooth Things, this remains the most likely possibility.³¹³ Enemies of the sect were those who had a differing interpretation of Scripture, with which the *yahad* disagreed because they sought to take the easy route. Considering the evidence of 1QH, this may not be any single group. Furthermore, it cannot be a coincidence that the main person responsible for interpretation of Torah in the sect is the IL, a term bearing much resemblance to the Seekers, founded on the same verb שרש.

3.4.2 Interpreter of the Law

The term דורש התורה (IL) occurs five times in the DSS (CD 6.7; 7.18; 4Q174 1-2 ii 11; 4Q177 10-11.5; 4Q266 3iii19), and is used in different ways, referring to figures in the community's past, and (potentially) in its future. The IL is referred to in CD 6.7 as a historical figure; in CD 7.18 in an eschatological context; and can be identified with the priestly Messiah (4Q174 1-2 ii 11; see 1QS 9.11; CD 12.23; 14.19).³¹⁴

The IL is a key figure in the sect, and of particular interest to this study due to his role in interpreting Torah. The origins of the term are linked to Deut 18.15, where the Lord promises to raise up a prophet like Moses, and Deut 17.8-9, where a difficult matter of judgement is brought before the Levitical priests. In the latter verse, שרש is used to refer to the inquiry of the priests. Furthermore, Ezra 7.10, as well as 1 Macc 14.14 and Sir 32.15, have been proposed as additional biblical foundations for the

³¹³ Lester L. Grabbe, 'The Current State of the Dead Sea Scrolls: Are there more answers than Questions?' in *Scrolls and Scriptures*, ed. by Porter and Evans, 54-67, (58).

³¹⁴ There are some arguments that the IL is the Teacher of Righteousness who will return as a Messiah (Cross, *Library*, 226-30).

term, mainly on linguistic grounds.³¹⁵ The function of the IL is unique to Qumran in the Second Temple period, though there is some debate as to whether he is a messianic figure. His counterpart, the Teacher of Righteousness, was identifiably a priest, and would fulfil the role of the messiah of Aaron, meaning that the IL could hold another role, such as the prophet like Moses. It is further possible that the two figures were not always clearly distinguished.³¹⁶ For the purposes of this investigation, it is the role of the IL as an exegete of Scripture that will be investigated, as it is the community's interpretation of Scripture which forms the focus of this study.

Phillip Callaway notes the three different ways to read the position of IL.³¹⁷ The figure may be historical, not historical, or IL is a blanket term for the original and later 'searchers'. In CD, the IL is the historical precursor to a teacher. In 4QFlor, the IL must be a contemporary, or forerunner of the Teacher. In Serekh, it appears that no single individual is the IL, which includes anyone involved in the purposeful inquiry into the meaning of Torah. Other passages in Serekh could be interpreted as schematic references to the messiah and his legislative forerunner; therefore, there is no need to treat the figure as historical.

There are subtle distinctions in the use of IL across Serekh, CD and 4Q174, and even within CD itself, which describe an activity, or relate to an office and later eschatological figure. Jean Carmignac proposes that the IL refers to any Essene, not a specific figure like (the Teacher of Righteousness).³¹⁸ While this proposal may fit the

³¹⁵ Florentino García Martínez and Julio Treballe Barrera, *The People of the Dead Sea Scrolls: Their Writings, Beliefs, and Practices*; trans. by Wilfred G. E. Watson (Leiden: Brill, 1995), 74. See George J. Brooke, *Exegesis at Qumran: 4QFlorilegium in its Jewish Context*; JSOTSup 29 (Sheffield: JSOT, 1985), 203.

³¹⁶ John J. Collins, 'What was distinctive about messianic expectation at Qumran?' in *Bible and the DSS*, ed. by Charlesworth, 71-92, (88-89).

³¹⁷ Callaway, 'Origins,' 643.

³¹⁸ Jean Carmignac, 'Le Retour du Docteur de Justice à la fin des jours?' *RevQ* 1 (1958-59): 246-48.

context of 1QS, the IL features as a specific figure in CD 6.7 and 7.18. The former verse identifies the IL with ‘the Star’, and mentions a succession of ‘Staves’ which may indicate a succession of Interpreters, the first and the last being of greatest importance.³¹⁹ This could be reconciled with the coming of an eschatological figure with the title IL, such as outlined in 4Q174, making the IL the priestly messiah of Aaron. Vermès proposes IL is a title, and that every local assembly of the community had an IL, which fits with 1QS 6.6. CD 6.7-10 references an IL who was a figure of the past, while 4Q174 identifies a figure appearing in the future, to work beside the Davidic Messiah, when the community moved from Jerusalem to Damascus.³²⁰ The IL can refer to a figure in the past, a messianic figure, and/or any member of the community engaged in Torah interpretation.

In CD 6.4, *rod/mḥqk* can mean ‘leader’ or ‘lawgiver’ by means of a play on the word. Thus, the historical founder of the community, here identified as the IL, establishes precepts which are considered valid until the coming of an eschatological figure, the Teacher of Righteousness.³²¹ This interpretation is distinguished by its application to history and the experience of the sect. The IL is set up in contrast to the Prince of the Congregation and apostates, and acts as a guard against apostasy. This reading fits with the interpretation that he is a messianic figure, supported by verses which indicate that the IL is a figure at work in the community. The IL has the correct interpretation of Torah, unlike the apostates, who may be equated with the *דורשי ההלכות*. According to CD 6.7-11, the IL issued the decrees that should be walked in ‘during the age of wickedness’ (CD 6.10). It thus appears that this law is only valid

³¹⁹ Brooke, *Exegesis*, 200.

³²⁰ Vermès, *Scripture*, 46.

³²¹ Donald Juel, *Messianic Exegesis: Christological Interpretation of the Old Testament in early Christianity* (Philadelphia: Fortress, 1988), 54.

for an interim period ('the age of wickedness' CD 15.6-10) and may therefore be abrogated by the Teacher at the end of days.³²² CD 6.2-11 offers proof that the IL predates the Teacher, and is an authority figure who has already come to the group and issued decrees.

Peretz Segal notes that the IL is viewed as a successor of Moses and can be further identified with the *meḥoqeq*, the one who interprets Torah.³²³ The laws established by the *meḥoqeq* are binding on the community in addition to the Torah, or as the correct interpretation of Torah. The IL establishes the laws for the community, and may be further identified as the founder of the community.

The purpose of the IL is of greatest significance for this study. The Qumran community believed the IL was sent to give them the exegetical tools necessary to create halakah.³²⁴ Wacholder argues that the importance of דרש is reflected in its usage, noting the contrast between דרשי החלקות and דורש התורה. Torah can be searched, as seen in Serekh. 1QS 6.6 determines that each community movement, should have an אִישׁ דֹּרֵשׁ בַּתּוֹרָה, to be engaged in constant Torah study, while 1QS 8.11-12 presents a community official (אִישׁ הַדּוֹרֵשׁ) whose role is to instruct new members in the teachings of the sect. All this means, for Fraade:

if revealed knowledge and interpretive authority is concentrated in the priestly class and officers of the community, whether because of pedigree or specialized knowledge and activity, it is shared by the community as a whole by virtue of their common life of mutually justifying discipline and ritualized study.³²⁵

³²² Collins, *Use*, 46.

³²³ P. Segal, 'Jewish Law,' 110, 114.

³²⁴ Cana Werman, 'Oral Torah vs. Written Torah(s): Competing Claims to Authority,' in *Rabbinic Perspectives*, ed. by Fraade et al, 175-97, (187).

³²⁵ Fraade, 'Interpretive,' 67.

This is an important point, meaning all with full membership of the community are entitled, if not obliged, to דרש Torah. Hempel concurs that אִישׁ דּוֹרֵשׁ בַּתּוֹרָה in 6.8 does not seem to be an office, but a single member of the community engaged in study at all times.³²⁶ The association of the IL with Scripture interpretation appears on different levels: in Serekh as a member of the community engaged in studying the law; and in CD, the IL appears in 6.7 as a figure in the community's past assigned a key role in interpreting law; in CD 6.7 and 4QFlor the title is mentioned in an exegetical context as if the title itself was derived from Scripture.

George Brooke, noting that 4Q174 supports two eschatological figures expected at Qumran, argues that one of these was to interpret the law.³²⁷ However, the evidence does not necessitate the IL being a priest, and Brooke argues convincingly, citing Ezra 7.10; Sir 32.15; 1 Macc 14.14; and Jub 1.12, that the task of seeking the Law is assigned to all.³²⁸

The precise identity of the IL is not the immediate concern of this study. More importantly, the sect had an office, the holder of which was tasked with overseeing the community's scriptural study. This office may have been held by a succession of individuals over time, or by different members of the community following a rota. The role's existence underlines scriptural study's importance at Qumran. Moreover, the apparent contrast between דּוֹרֵשׁ הַתּוֹרָה and דּוֹרְשֵׁי הַחֲלָקוֹת indicates the Qumran community believed that there was a 'correct' way to study Scripture, which was not followed by their opponents. Such differences may provide the sect's rationale for retreating to the wilderness (1QS 8.15). The community as a whole, from

³²⁶ Hempel, 'Interpretive,' 65.

³²⁷ Brooke, *Exegesis*, 203.

³²⁸ Brooke, *Exegesis*, 203.

the time of its origins, is characterised by study as a medium to discover esoteric Torah teaching (1QS 6.6-8). Yet to allow all members free reign to uncover new laws would lead to a somewhat chaotic environment, if not regulated with the correct checks and balances. The IL provided the tools to search the law correctly, and guide the process of midrash ha-Torah, the derivation of sectarian law.³²⁹

3.5 *Nistarot* and *Nigleh*

This section shall discuss the significance of נִסְתָּרוֹת and נִגְלָה, which, I will argue, function as technical terms. Deriving their origin from Deut 29.28, they distinguish between the ‘revealed laws explicitly stated in the Torah’ and ‘the hidden laws known only to the sect’.³³⁰ Their meaning in a legal context has been examined by Gary Anderson,³³¹ Aharon Shemesh and Cana Werman;³³² Ben Zion Wacholder,³³³ who has argued they may be employed in esoteric sapiential contexts; and David Flusser,³³⁴ who extended the technical usage to include broader ideological

³²⁹ See Schiffman, *Halakhah*, 58.

³³⁰ Schiffman, *Reclaiming*, 247. See Naphtali Wieder, *The Judean Scrolls and Karaism* (London: East and West Library, 1962), 53-62; Joseph M. Baumgarten, *Studies in Qumran Law*; SJLA 24 (Leiden: Brill, 1977), 30-35; Philip R. Davies, *The Damascus Covenant: An Interpretation of the Damascus Document*; JSOTSup 25 (Sheffield: JSOT, 1983), 80-87; Alex P. Jassen, *Mediating the Divine: Prophecy and Revelation in the Dead Sea Scrolls and Second Temple Judaism* (Leiden: Brill, 2007), 331-334.

³³¹ Gary A. Anderson, ‘Intentional and Unintentional Sin in the Dead Sea Scrolls,’ in *Pomegranates and Golden Bells: Studies in Biblical, Jewish and other Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*, ed. by D. P. Wright, David Noel Freedman, and Avi Hurvitz (Winona Lake, Ind.: Eisenbrauns, 1995), 49-64.

³³² Aharon Shemesh and Cana Werman, ‘Hidden Things and Their Revelation,’ *RevQ* 18 (1998): 409-427.

³³³ Ben Zion Wacholder, ‘The Preamble to the Damascus Document: A Composite Edition of 4Q266-268,’ *HUCA* 69 (1998): 31-47, (esp. 45).

³³⁴ David Flusser, “‘The Secret Things Belong to the Lord’ (Deut 29.29): Ben Sira and the Essenes,’ in *Judaism of the Second Temple Period, Qumran and Apocalypticism*, ed. and trans. by Azzan Yadin (Grand Rapids: Eerdmans, 2007), 293-298. Flusser casts a very wide net for an epistemological meaning of נִסְתָּרוֹת at Qumran. He agrees with previous scholars that the *yahad* read Deut 29.28 in support of their self-understanding as recipients of revelation concerning legal matters, but states that this was only one part of the community’s understanding of נִסְתָּרוֹת. He argues strongly that scholars must not limit the community’s conception of נִסְתָּרוֹת to simply apply to halakah.

interpretations. Shani Tzoref³³⁵ elucidates how נסתרות and נגלה are used differently in texts of different genres, demonstrating a correlation between genre and exegetical stance in the relevant texts.

Aharon Shemesh and Cana Werman³³⁶ argue that the Qumran sect assumed certain religious rules, previously hidden from Israel, had been revealed to the sect. The secret things that once belonged ‘to the Lord our God’, now ‘belong to us and to our children’; that is the sectarian legal rules. The revelation of commandments previously hidden from Israel constitutes one aspect of the *yahad*’s broader tendency towards isolation.³³⁷ The *yahad* considered part of its doctrines to be esoteric.³³⁸ This esotericism is fundamental to the Qumran worldview, is linked to the Essene view on dualism, and the belief that the community were God’s elect. The rules of conduct governing the community were clear, and the *yahad* believed that these were secret teachings which the community (or its officers) dug for in the Scriptures (CD 6.4). Matters discovered by the IL should not be kept hidden from full members, lest there arise a ‘spirit of desertion’ (1QS 8.11-12; CD 15.13-15). These teachings are found through interpretation of Torah (1QS 8.13-16).³³⁹ Furthermore, the sect attacks their opponents for not searching Torah; this intensive searching of Torah was the only way of ascertaining the meaning of the נסתרות.³⁴⁰

³³⁵ Shani Tzoref, ‘The “Hidden” and the “Revealed”: Esotericism, Election, and Culpability in Qumran and Related Literature,’ in *DSS at 60*, ed. by Schiffman and Tzoref, 299-324.

³³⁶ Shemesh and Werman, ‘Hidden Things.’

³³⁷ Flusser, “‘Secret Things’,” 294.

³³⁸ The Qumran horoscopes, and other documents (for example, 4Q249), were written in a secret code.

³³⁹ Huntjens, ‘Contrasting,’ 369, argues that the main objective of exegesis at Qumran was to provide biblical support for the sect’s dating of the Sabbath and festivals and for refining the regulations for correct interpretation of the Sabbath.

³⁴⁰ Schiffman, *Halakhah*, 24.

The נסתרֹות belong to God, but are progressively revealed to the community.³⁴¹ The distinction between hidden and revealed laws is evident in the penalties prescribed by the foundational texts of the community (1QS 6.24-7.25). Those who deliberately violate one of the revealed laws are banished with no return permissible; in contrast, those who violate sectarian halakah (hidden laws) are punished, but thereafter may be readmitted to the community.³⁴² נגלה and נסתרֹות are central terms in the community's understanding of the law. 1QS 5.11 indicates a separation between the men of the covenant and their opponents, based on searching the Lord's decrees. A key difference is that the community has access to the נגלה and the נסתרֹות, whereas those outside can only know the נגלה. The manner of obtaining the נסתרֹות is key. Members of the sect engaged in an exact study of Scripture using exegetical methods similar to the rabbis, and נסתרֹות could be discovered by 'thorough, careful and intensive study searching in the Scripture.'³⁴³ The precise nature and extent of this study is not explicitly provided. Schiffman names the נגלה as simply Scripture, while the נסתרֹות are the sectarian interpretation of Scripture.³⁴⁴ The נסתרֹות are derived through divinely-inspired exegesis, meaning they are ultimately derived from Scripture, and the *yahad* relied on biblical interpretation for the derivation of its halakah (like many contemporaries).

Alternatively, Devorah Dimant argues that the נגלה are laws whose interpretation is clear to everyone, while the נסתרֹות are only correctly understood by

³⁴¹ Tzoref, "'Hidden'," 323.

³⁴² Tzoref, "'Hidden'," 324.

³⁴³ Elisha Qimron and John Strugnell, *Qumran Cave 4.V: Miqsat Ma'ase ha-Torah*. DJD X (Oxford: Clarendon, 1994), 32; Huntjens, 'Contrasting,' 368.

³⁴⁴ Schiffman, *Halakhah*, 32.

the sectarians, who developed them by means of divinely-inspired exegesis.³⁴⁵ The laws consist of ‘that which was hidden from Israel but found by the man who searches’ (1QS 8.11-12; see 5.11-12). One needs to search in order to find the נסתרות. The role of the IL is central to this enterprise. The use of נסתרות and in particular נגלה in the DSS, supports the majority opinion.

From a practical perspective, Israel Knohl offers three reasons for the use of the terminology: firstly, to account for the wide gap between the laws of the sect and the halakah prevalent among the majority of Israel (e.g. CD 1.11; 3.13-16); secondly, to explain the discrepancy between the laws of Torah, as interpreted by the sect, and the lives of biblical personalities as portrayed in the historical books of the Bible (CD 5.2-5); thirdly, to assume for the sect’s halakah a status of esoteric Torah, not to be revealed in public.³⁴⁶ This outline provides a three-fold reasoning for the community’s use of נסתרות and their rationale behind using the terminology in question. The *yahad* certainly used נסתרות to refer to halakoth which were specific to the community and had been derived from scriptural exegesis.

Study held a central place in the community, which in turn led to the development of particular halakah, which the community termed נסתרות, produced in community study sessions. This halakah was unavailable to those outsiders, but was to be followed by the true covenanters. For this to be justified, the נסתרות required some sort of divine approval. 4Q375 offers a key insight into understanding

³⁴⁵ Devorah Dimant, ‘Qumran Sectarian Literature’ in *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran, Sectarian Writings, Philo, Josephus*, ed. by Michael E. Stone; LJPSTT 2 (Assen: Van Gorcum), 483-550, (526).

³⁴⁶ Israel Knohl, ‘נגלה ונסתרות: The Revealed and Hidden Torah: A Response to Joseph M. Baumgarten,’ *JQR* 85 (1994): 103-08, (104).

how the sect derived its secret or hidden laws, and justified following these particular laws.

3.5.1 4Q375: Testing a True Prophet

4Q375 centres on a debate around false prophecy. The text takes as its point of departure Deut 18.18-22, where a false prophet is one who declares something that does not come true. According to Wise:

Our author, speaking as Moses, presupposes a situation in which two groups disagree about whether or not a prophet has spoken truly. The matter is cast in terms of apostasy, but in Second Temple times that might easily connote biblical interpretation with which one did not agree.³⁴⁷

This last point is of special interest to the present study, especially the single occurrence of *וְדַרְשׁ אֶתֵּן כּוֹל מִצְוֹתַי יְהוָה* in the text, 1 ii 7-8: ‘and shall study [all the commandments of] YHWH’.³⁴⁸ 4Q375 exemplifies the use of legal material in a new context, resulting in an attempt to explain actual events in the life of the sect and presenting them as biblical material.³⁴⁹

The passage narrates Aaron doing something around the *parokhet* and the Ark, studying the laws which have been hidden from Israel until now and emerging to tell the people the results. John Strugnell considered taking *וְדַרְשׁ* in its late biblical sense of the public exposition of Scripture (also noting the strange reference to the public reading of law on Day of Atonement in m. Yoma 7.1-2, which presents

³⁴⁷ Wise et al, *The DSS*, 336.

³⁴⁸ Verses 6-8 read: And Aa[ron shall sprinkle part of the blood] before the veil of [the shrine and shall draw near] to the Ark of the Testimony, and shall study a[ll the laws of] YHWH for all [have been con]cealed from thee. And he shall [co]me before a[ll the leaders of the assembly.] Translation: John Strugnell, ‘4Q Apocryphon of Moses^a,’ *DJD XIX*, 111-19, (114).

³⁴⁹ Gershon Brin, *Studies in Biblical Law: From the Hebrew Bible to the Dead Sea Scrolls*; JSOTSup 176 (Sheffield: JSOT, 1994), 164. However, Brin’s identification of the false prophet as a spiritual leader of the Qumran sect who was accused of false prophecy by the Jerusalem authorities is more speculative.

difficulties).³⁵⁰ The title **דורש התורה**, used for the sect's principal exegete, is a better parallel. That sense would call for a supplement to this passage implying imparting of these laws 'to all ...' fitting the role of the IL. Within the context of 4Q375, the author conceives an elaborate ceremonial trial involving the high priest and the Ark. Secret laws are kept in or near the Ark, meaning that the high priest retires there and studies in order to determine if the prophet is true or false, thus revealing God's verdict. This has roots in **דרש** in the sense of divination (1 Sam 28.7; 1 Chr 10.13). The object of **דרש** is the **מצוות**, which have been hidden from Israel until now, recalling the **נסתרות** in other sectarian texts.

The location of the act of studying is noteworthy. Locating it in a place so holy that none may enter ensures that the study of the hidden things (**נסתרות**) will be done between God and the high priest without the cooperation of others. Only after the event will the high priest emerge to reveal the answer. As Gershon Brin comments:

As the high priest has to interpret the scriptures to find out the decision which he must reach for that case, he himself does not know what the law is. So the phrase '[that which have been con]cealed from thee' may be understood to refer not only to the people; these are concealed laws from everyone, including the high priest.³⁵¹

Thus, the **נסתרות** can be divided into two levels: those for the people, that the IL and other sect leaders know how to solve; and those neither ordinary people nor leaders know how to solve. 4Q375 outlines that in the latter circumstances only the high priest, not a regular IL as in 1QS 6.6, has a procedure to reveal those **נסתרות** and give God's answer.

³⁵⁰ Strugnell, '4Q Apocryphon,' 117. However, it is debatable whether **דרש** means public exposition in the Yoma tractate. Moreover, **דרש** does not occur in Yoma 7.

³⁵¹ Gershon Brin, 'The Laws of the Prophets in the Sect of the Judaean Desert: Studies in 4Q375,' *JSP* 10 (1992): 19-51, (41).

There are important links between 4Q375 and Serekh. 1QS 8.11-12 reads: ‘the interpreter shall not conceal from them, out of fear of the spirit of apostasy, any of those things hidden from Israel which have been discovered by him.’ All knowledge gained by the Interpreter must be shared with the whole community. In contrast, the charge is laid against the wicked people that ‘they have neither sought nor enquired after him, concerning his laws that they might know the hidden things in which they sinfully erred’ (1QS 5.11). The study of Torah must provide the basis for the behaviour of members of the sect, distinguishing them from the wicked ones. However, it is only in extraordinary circumstances that the high priest has the task of studying the Scriptures. Generally, the priests interpret Scripture as part of the sect’s daily life (1QS 5.8-9).

4Q375 provides evidence both of scriptural exegesis and that the sect felt it necessary to ground this in the text, suggesting that the author belonged to a group with reason to want to add nuance to biblical commands, as there is evidence that the *yahad* was engaged in scriptural interpretation through the IL and the Teacher of Righteousness. This modification could hardly be done in the name of any but Moses. By explaining how God’s orders come to the community, the author distinguishes the true prophet from the prophet who speaks apostasy to the nation in order to lead them astray.

3.5.2 Conclusion on *Nistarot* and *Nigleh*

The hidden laws which members of the community are required to follow have been unearthed from digging in the Torah during the community’s study sessions. These laws are found under the direction of an/the IL. 4Q375, while not necessarily a *yahad*

text, narrates an episode which indicates that (perhaps in special circumstances) the high priest may have to study laws in the environs of the Ark. For this study, the presence of these נִסְתָּרוֹת, which are found by searching the Torah, demonstrates that the community at Qumran did search the Scriptures for new halakoth, and used the term דָּרַשׁ to describe this search. The next section will examine the use of the nominal form מִדְּרַשׁ in the DSS.

3.6 Midrash in the Dead Sea Scrolls

The word מִדְּרַשׁ occurs 12x in the DSS, all in sectarian compositions.³⁵² מִדְּרַשׁ occurs only twice in the Tanak, in Chronicles, in both instances in the name of a book, from which the reader can gain information about a particular subject (kings Abijah and Joash respectively). Its use in the DSS is different, with the word carrying a range of meanings, including ‘study, investigation’.³⁵³ Nonetheless, scholars who approach the Hebrew language from a diachronic perspective see the immediate connection between this late BH feature and its presence in the DSS.³⁵⁴ The term is used in a variety of senses across the Scrolls, referring to both legal and non-legal material. מִדְּרַשׁ can have the sense of judicial inquiry, notably in 1 QS 6.24 and 8.26, where it occurs in a construct with *yahad* ‘an inquiry of the community’. However, it is also used to refer to a communal study session in 1 QS 8.14-15 as well as in a titular sense

³⁵² 1QS 6.24; 8.15, 26; 4Q174 1-2 1.14; 4Q249 (verso 1); 4Q256 9.1; 4Q258 1.1; 7.1; 4Q259 3.6; CD 20.6; 4Q266 11.20; 4Q270 7ii15.

³⁵³ Gary A. Rendsburg, ‘Qumran Hebrew (with a Trial Cut [1QS])’, in *DSS at 60*, ed. by Schiffman and Tzoref, 217-246, (243).

³⁵⁴ Avi Hurvitz, ‘Continuity and Innovation in Biblical Hebrew: The Case of “Semantic Change” in Post-Exilic Writings,’ in *Studies in Ancient Hebrew Semantics*, ed. by Takamitsu Muroaka; AbrNSup 4 (Louvain: Peeters, 1995), 1-10; and, ‘Can,’ 152-53. These two articles treat the noun מִדְּרַשׁ within the larger context of the verb דָּרַשׁ ‘search, inquire’.

(4Q258 1.1.1; 4Q256 5.1; 4Q249). Alongside 1 QS 8.15-16, 4Q174 allows for the view that investigative searching might move beyond the Law to include the Prophets and Psalms, at least occasionally in the history of the community.

The key question is whether מדרש can mean scriptural exegesis at Qumran. Timothy Lim, attempting to categorise the occurrences of מדרש at Qumran, presents four categories³⁵⁵: communal study (1QS 8.14-16, 26); judicial inquiry (1QS 6.24); communal regulation (CD 20.6; 4Q266 18v18-20); and a title for authoritative interpretation (4Q258 1i1), as well as noting its appearance on the title page of 4Q249 and the occurrence of מדרש and פשר in 4Q174. For these latter occurrences, Lim favours the sense of ‘authoritative interpretation’.³⁵⁶ Such a sense is more open than the more precise ‘scriptural interpretation,’ which does not pin down the source of the interpretation as Torah, as suggested by many of the titular occurrences of מדרש.

Steven Fraade views three levels of meaning in מדרש at Qumran, viewed in the context of early rabbinic literature: the activity of interpretive study of the Scriptures; discrete exegetical results of such study; and the text collections of such exegesis.³⁵⁷ The central question is whether מדרש can mean scriptural exegesis or study at Qumran, which is not unrelated to the use of דרש in the Scrolls. This section will examine the use of מדרש in three senses: as a title, as biblical interpretation, and as a judicial inquiry.

³⁵⁵ Timothy H. Lim, *Pesharim*; CQS 3 (Sheffield: Academic, 2002), 49; and ‘Midrash Peshar in the Pauline Letters,’ in *Scrolls and Scriptures*, ed. by Porter and Evans, 280-292, (287-288).

³⁵⁶ Lim, ‘Midrash,’ 290.

³⁵⁷ Steven D. Fraade, ‘Midrashim,’ in *EDSS*, 1:549-552, (549).

3.6.1 Midrash as a Title

מדרש is used in certain texts as a title, either of the entire document/Scroll, or a section thereof. This section will examine those instances: 4Q(256)Sb 9.1; 4Q(258)Sd 1.1; 4Q266 11.20; 4Q174 1.14; and 4Q249. Such a usage indicates that the covenanters viewed מדרש as not only an activity, but also results of that activity. The evidence of 4Q249 in particular indicates that by מדרש the community was referring to interpretation of Scripture, in turn shedding light on the use of דרש.

3.6.1.1 Midrash as a Title in Serekh and CD

In two copies of Serekh from Cave 4, מדרש occurs as a title for a section (4Q256 9.1 – which has a parallel text including סרך in 1QS 5.1), or the entire text (4Q258 1.1). It needs to be established what מדרש means in these instances. While it can refer to the results of interpretation of Scripture, מדרש can also refer to judicial judgements in the *yahad*. Additionally, as noted above, 4Q270 7ii15, contains the phrase מדרש התורה האחרון, which Wacholder maintains is the title of the text.³⁵⁸ This section examines these uses of מדרש.

1QS 5.1-6.2 begins ‘this is the rule (הסרך) for the men of the community.’

The parallel text 4Q258 1.1 (מדרש למשכיל על אנשי התורה המתנדבים להשיב) מכיל רע ול החזיק בכול אשר צוה; ‘midrash for the Instructor concerning the men

³⁵⁸ Stegeman and Wacholder argue 4Q266 11.20 contains the same phrase, though this is based on reconstructions and cannot be established with certainty from the extant scrolls. Wacholder, *New*, 110; Stegeman, ‘Towards,’ 193.

of the law who freely volunteer to revert from all evil and to keep themselves steadfast in all he commanded'), replaces **הסרך** with **מדרש**. As 4Q258 1.1, reads **מדרש** for **משכל** in 1QS 5.1, some scholars have posited that 'midrash' may appear in the title of 1QS. Such speculation is unlikely. As Metso states:

The possibility that **מדרש** is part of the title of 1QS 1:1, which has to be considered in the light of 4Q5b 5:1 and 4Q5d 1:1 (**מדרש למשכיל** in both manuscripts), is less problematic, for the terms **סרך** and **מדרש** always seem to appear alternatively, and never simultaneously in the titles of 1QS and **מדרש** is a word only used in the singular in the Rule of the Community.³⁵⁹

The title of the document is more aptly 'For the wise leader, to instruct the men during his life, the book of the order of the community.' This title fits the content of a text which outlines the conduct required of the community members, better than one based on scriptural interpretation.

1QS 5.1-6.2 relates to exegetical decisions of the sect which are binding on its members, who take an oath to follow community decisions, including the **נסתרות**. Johann Maier argues that **מדרש** appearing in place of **סרך** indicates that **מדרש** did not have any special meaning in the DSS.³⁶⁰ On the other hand, Lim argues that **מדרש** appears as a title for authoritative interpretation in 4Q258 1.1 (comparing this to 1QS 5.1).³⁶¹ That **מדרש** acts as a title cannot be disputed, the question concerns what the title indicates about the content. Where the material indicates judicial decisions, the sense of **מדרש** as examination is more evident. However, in 4Q174 and 4Q249 an alternative sense is also present.

³⁵⁹ Metso, *Textual*, 112.

³⁶⁰ Johann Maier, 'Early,' 112.

³⁶¹ Lim, *Pesharim*, 49.

A similar case could be made for reading 1QS 6.24 as a title for a further subsection of Serekh: **וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר יִשְׁפֹּטוּ בָּם בְּמִדְרַשׁ יָחִיד עַל פִּי הַבְּרִיָּים**; ‘And these are the regulations by which they shall judge in an examination of the community depending on the case.’ This phrase is followed by a long line of offences and misdemeanours and their appropriate punishments, which has parallels not only in the Cave 4 versions of Serekh, but also 4Q259 and the *Damascus Document*.³⁶² The phrase suggests that **מִדְרַשׁ** is the source from which the injunctions which follow were taken.³⁶³ Therefore, **מִדְרַשׁ** may refer to a written text, possibly including community decisions on judicial matters or examinations, not to exclude the possibility that the results of the community study sessions would also be deemed **מִדְרַשׁ**.

4Q270 7ii15 contains the phrase **מִדְרַשׁ [הַ]תּוֹרָה הַעֲחָרוֹן**, which both Stegeman and Wacholder propose as the title of the text ‘Midrash of the Eschatological Torah’.³⁶⁴ Coupled with the examples from Serekh, it is very possible that **מִדְרַשׁ** could form part of the title of CD, especially given the content of the text. Added to conclusions on the use of **דָּרַשׁ** in the Scrolls, it is plausible that **מִדְרַשׁ** could refer to the results of scriptural exegesis, though the evidence of the Serekh texts would indicate that **מִדְרַשׁ** more correctly in these documents refers to collections of legal decisions of the community, whether or not they are the result of scriptural exegesis.

³⁶² Brooke, ‘Peshar,’ 89.

³⁶³ Wacholder, *New*, 111.

³⁶⁴ Stegeman, ‘Towards,’ 193-94; Wacholder, *New*, 110.

3.6.1.2 Midrash as a Title in 4Q174

4Q174 1-2 i 14: מדרש מאשרי[ן] ה[א]יש אשר לוא הלך בעצת רשעים;
[Midrash of (Ps 1.1) “blessed is the man
who does not walk in the counsel of the wicked”. The interpretation of this wor[d:
they are] those who turn aside from the path of [the wicked.]’ This phrase, which
follows a *vacat*, can be read as an introduction, or title, to the section which follows,
an exposition of, or an instruction deriving from, Ps 1.1.³⁶⁵ Of particular interest is the
occurrence of both מדרש and פשר. The interpretation of Ps 1.1 equates the man who
does not walk in the counsel of the wicked with members of the sect. The ‘counsel of
the wicked’ is understood as those who turn from the path of righteousness, an
interpretation supported by references to Isa 8.11 (which is understood as referring to
the end of days), Ezek 44.10, and Ps 2.1 (which is understood to refer to the chosen
people of Israel, that is the sectarians, in the end of days).

The key question concerns the meaning of מדרש in this phrase. The material
which follows includes the interpretation of a Psalm verse, with references to two
verses from the Prophets and another Psalm verse, not unlike the Pesharim,
unsurprising given the introduction פשר. The *vacat* and the word מדרש indicate the
beginning of a new section, though Lim argues that it would be awkward for a new
section to begin פרש הדבר, given that this is a stereotypical formula which occurs
in continuous pesharim to introduce a sectarian comment on a biblical verse.³⁶⁶ Such
an argument can be difficult to justify as, other than the puzzling double reference to
both מדרש and פשר, it does not seem out of place for מדרש to be the title of the

³⁶⁵ Lim, ‘Midrash,’ 288.

³⁶⁶ Lim, *Pesharim*, 49.

section and פֶּשֶׁר to signal the beginning of the interpretation. The coexistence of both words in the one phrase is unique. In response to this puzzle, Lim proposes that מִדְּרָשׁ refers to the content of the community's study, and פֶּשֶׁר to an interpretation of not only Ps 1.1, but also the accompanying interpretation.³⁶⁷ Therefore 'midrash pesher' would not exist as a unique genre, since the פֶּשֶׁר in 4Q174 would mean an interpretation of a pre-existent sectarian explanation of Ps 1.1, perhaps a result of the nightly study sessions. Referencing the use of מִדְּרָשׁ as a title in 4Q256 and 4Q258, Lim argues that, in these cases, מִדְּרָשׁ does not refer to a genre of biblical exegesis, but to an instruction or rule which the wise leader will impart to the sectarians, and does not refer to the study of Torah as such, 'but the instructions and regulations, grounded in Torah for sure, that all observant members of the community must follow'.³⁶⁸ However, as 4Q249 will show, it is possible for מִדְּרָשׁ to be used in a titular sense with reference to biblical interpretation, meaning that such a sense cannot be ruled out in the current case.

George Brooke proposes that מִדְּרָשׁ in 4Q174 1.14 is a technical term, not referring to the literary genre, but identifying a method of scriptural interpretation, which would have been that employed in study sessions by the community.³⁶⁹ Brooke further argues that מִדְּרָשׁ may carry a quasi-technical function so that all thematic analyses of prophetic texts might be understood as formal searching of the Scriptures, 'the kind of interpretive enterprise which could be written up and presented for particular thematic purposes'.³⁷⁰ In an earlier work, Brooke argued that this text acts

³⁶⁷ Lim, *Pesharim*, 50.

³⁶⁸ Lim, 'Midrash,' 288.

³⁶⁹ George J. Brooke, 'Catena,' *EDSS* 2:297-98.

³⁷⁰ Brooke, 'Thematic,' 146.

as proof for a genre called ‘Qumran midrash’, with 4Q174 containing midrash (but not rabbinic midrash) of a particular haggadic kind.³⁷¹ The structure of scriptural citations and interpretation made up of statements of identity and explanation ‘resembles the other Qumran writings where there is scriptural citation and interpretation.’³⁷² The best conclusion is that מדרש means the *yahad* searching of the Scriptures, and may also refer to the product of that searching, hence its use in the titular sense by the sectarians. The product may be interpretation of scriptural text, but also legal halakah, which is the product of study sessions.

While the Pesharim comment solely on prophetic texts, interpreted in light of the community’s experience, the sectarians did not limit biblical interpretation to Torah, and were happy to name their interpretation of the Prophets מדרש. As Shemesh notes, 4Q174 uses the term מדרש to indicate the interpretation of a verse which may even come from a composition he has before him.³⁷³ Philip Alexander expresses a note of caution that too much can be read into a word which may simply mean ‘interpretation’, or ‘explanation’.³⁷⁴ This signals the problems encountered while seeking to define the use of מדרש at Qumran, yet one must not be deterred by difficulties, but seek to understand and categorise each usage on its own merits before reaching some more general conclusions. It is certainly the case that מדרש can be used in the titular sense, as seen in other texts, and to describe scriptural interpretation. Thus, it is reasonable to propose (especially as what follows is an

³⁷¹ Brooke, *Exegesis*, 141. Jonathan G. Campbell, *The Exegetical Texts*; CQS 4 (New York: T & T Clark, 2004), 36-37 notes that it is strange for Brooke to adopt the term midrash, which is rarer in the DSS than *peshet*, and that midrash does not function as a generic title in 4Q174, which Brooke acknowledges in ‘Florilegium,’ *EDSS*, 1:297-98, (298).

³⁷² Brooke, *Exegesis*, 150. Schiffman, *Halakhah*, 60, notes that this occurrence of מדרש stands out from other occurrences in the DSS, where the halahic application is more usual.

³⁷³ Shemesh, ‘Biblical,’ 469.

³⁷⁴ Philip S. Alexander, ‘4Q285 Sefer ha-Milhamah,’ *DJD XXXVI* (2000), 236.

interpretation which cites four scriptural verses) that, for the community at Qumran, מדרש can carry the sense of scriptural interpretation. Furthermore, it is quite plausible that the same was the product of community study sessions.

3.6.1.3 Midrash as a Title in 4Q249

The opening line of this text reads 'מדרש ספר משה', 'Interpretation of the Book of Moses'. This line is found on the verso of the scroll, with the remainder of the very fragmentary text, written in the esoteric script 'Cryptic A' on the recto. This is one of only five extant manuscripts found in the caves at Qumran which have the title written on the reverse (the others being 1QS; 4Q8c; 4Q504; 4Q257). Since the text is so fragmentary, it is impossible to come to a definitive conclusion as to the form of the מדרש presented in the document. Nonetheless, it is not unreasonable to suggest that Scripture, probably the Torah, was the object of midrash in the text. 4Q249 contains a list of legal ordinances written in cryptic script that includes Pentateuchal expansions of the laws of leprosy from Lev 14.33-53. More recently, it has been demonstrated that the original title ספר משה was corrected by a later scribe to מדרש משה. The word מדרש was added by a second scribe, who marked the word ספר as a deletion.³⁷⁵ The original title was amended to reflect the content of the work (the illegible *scripta inferior*) calling these new regulations the 'Midrash of Moses'.

³⁷⁵ See Jonathan Ben-Dov and Daniel Stökl ben Ezra, '4Q249 Midrash Moshe: A New Reading and Some Implications,' *DSD* 21 (2014): 131-49.

Stephen Pfann notes that 4Q249, one of the earliest of the group's halakic works, already reflects a rather developed methodology, and that the method bears certain similarities to that used in Pharisaic and rabbinic traditions.³⁷⁶ This methodology was in all likelihood led by a skilled Interpreter. One reasonable scenario suggests that the study sessions, as outlined in 1QS, formed the basis for such scriptural exegesis. The preserved text in 4Q249 is a freer paraphrase or even interpretation of Lev 14.³⁷⁷ Moreover, an explicit citation formula כַּאֲשֶׁר כָּתוּב appears in frg. 13, and possibly also in frg. 14 (where only the כַּא survives). It is plausible that the community produced works on the basis of scriptural exegesis. Scripture and its interpretation held a central role in the Qumran community, and where דְּרַשׁ can refer to the interpretation of Scripture, and study sessions can bear the title מִדְּרַשׁ, a document with the title מִדְּרַשׁ מוֹשֶׁה would most likely contain scriptural interpretation.

3.6.1.4 Conclusions on use of Midrash as a Title in the Dead Sea Scrolls

מִדְּרַשׁ appears as a title of a document, or section thereof, in four of the texts preserved at Qumran. The content of these texts varies, including community regulations in the case of 1QS and CD, interpretation of prophetic texts in 4Q174, and interpretation of the Torah in 4Q249. Regarding the latter text, it is plausible that the מִדְּרַשׁ מוֹשֶׁה (סֵפֶר) was the product of the community study sessions, overseen by the דּוֹרֵשׁ הַתּוֹרָה, which may have provided the basis for supporting the

³⁷⁶ Stephen J. Pfann, 'Historical Implications of the Early Second Century Dating of the 4Q249-250 Cryptic A Corpus,' in *Things Revealed: Studies in Early Jewish and Christian Literature in Honor of Michael E. Stone*, ed. by Esther G. Chazon, David Satran and Ruth A. Clements; JSJSup 89 (Leiden: Brill, 2004), 171-86, (179).

³⁷⁷ Ben-Dov and Stökl, '4Q249,' 147.

community's halakah. 4Q249 is the exception and other instances of מדרש do not refer to a genre of biblical exegesis, but have a specific referent in the preparation of the way in the wilderness (1QS 8.15), or more generally the study of the community (1QS 8.26).³⁷⁸ Thus Lim differentiates 4Q249 from the use of מדרש in 4Q256 and 4Q258, with the latter two referring to an instruction or rule as opposed to scriptural exegesis. Such differentiation may be based on the content of 4QS rather than the context of the use of מדרש.

In 4Q249, the title must describe the content of the scroll. Thus, it is more likely that the covenanters called their interpretations of Scripture מדרש. One can expect to find scriptural exegesis in the content of 4Q249, perhaps composed by the IL, or the product of community study sessions. Such interpretation was likely used in support of the community's halakah, as seen most clearly in CD, and influenced some of the longer sections of Serekh. While the content of the Serekh texts, 4Q174, and 4Q249 differ, for those who penned them, all merited the title of מדרש. As such, one may conclude that, while the term מדרש did not have a tight definition in the DSS, it could be used to describe community regulations (S), scriptural interpretation including that of prophetic texts and the Psalms (4Q174), and interpretation of Torah (4Q249).

3.6.2 Midrash as Biblical Interpretation

This section will examine the possibility that מדרש was used with the sense of biblical interpretation. 1 QS 8.15, where the way of the Lord is understood as study of

³⁷⁸ Lim, 'Midrash,' 291.

the law, is one of the foundational texts for the community, and would appear to indicate that מדרש can be understood in the sense of biblical interpretation, which in turn highlights the importance of Scripture, and its study, for the community. The two most important terms for legal interpretation at Qumran are מדרש and פירוש.³⁷⁹ In five of its twelve occurrences in the DSS, the noun מדרש is followed by Torah; additionally the title of 4Q249 is מדרש (ספר) משה. Yet, as Fraade argues, whether this refers to scriptural exegesis is unclear: ‘The same ambiguity pertains in the DSS to the use of the verb *lidrosh* in conjunction with a text or body of laws.’³⁸⁰ However, the many occurrences of מדרש התורה would suggest that the term is significant, especially when it is foundational for the community (1QS 8.15; CD 20.6). The content of מדרש certainly differs from rabbinic midrash, that is ‘the explicit citation and interpretation of Scripture as a source of or justification for law.’³⁸¹ Yet מדרש can be distinguished from פשוט. The latter, generally, focuses on a particular text, while the former is exegesis in which a corroborative passage in Scripture plays a part, and an exegetical form in which a passage is interpreted in the light of a second passage.³⁸² While the texts the covenanters call מדרש may fall under the definition of midrash, it is difficult to determine the hermeneutical rules which lie behind the exegesis.

George Brooke argues that while the object of the midrash is not made explicit in 1QS 8.15, the context implies that it refers to an examination of members of the

³⁷⁹ Schiffman, *Halakhah*, 3, 76; Bernstein and Koyfman, ‘Interpretation,’ 65.

³⁸⁰ Fraade, ‘Midrash,’ 550.

³⁸¹ Bernstein & Koyfman, ‘Interpretation,’ 65.

³⁸² Bernstein & Koyfman, ‘Interpretation,’ 75.

community, citing 1 QS 8.26 in support.³⁸³ While the latter sense is clearly correct for other occurrences of מדרש, the sense of מדרש as scriptural interpretation cannot be ruled out, especially given the context of 1QS 8.15, and other uses of דרש in Serekh. Lim, in contrast, views both 1QS 8.14-16, and 1QS 8.26 as examples of מדרש in the sense of communal study.³⁸⁴ Again, this sense is possible for 1QS 8.15, where the object of study is Torah, but is less probable, even problematic, for 1QS 8.26, where the object is a community member. With Torah as the object in 1QS 8.15, Brooke's designation of an examination of other members of the community becomes problematic, since their conduct would be measured against Torah. This is not the usual criterion for examination of community members, which normally covers their insight, deeds, and adherence to the *mishpatim*. In 1QS 8.26, מדרש could refer to interpretation of Scripture, as a measure of the conduct of the member who transgressed, though examination by the *mebaqqer* remains more likely. Elsewhere, Brooke had argued that the preparation of the way of the Lord is to be understood as the study of the law which God had commanded through Moses, in contrast to the literal call to separate and go into the wilderness.³⁸⁵ As the community had separated themselves from other Jews by taking literally the journey to the wilderness, it is logical that they would seek to support the differences between them and their opponents by recourse to Scripture. Scriptural interpretation leads to discovery of the נסתרות, one of the functions of the IL.³⁸⁶

Thus מדרש could mean scriptural interpretation, considering the community was founded on the centrality of Scripture, and nightly study sessions focused on the

³⁸³ Brooke, 'Peshar,' 89-90.

³⁸⁴ Lim, *Pesharim*, 49.

³⁸⁵ Brooke, 'Isaiah,' 124.

³⁸⁶ Schiffman, *Halakhah*, 57.

interpretation of Scripture, probably with the goal of finding halakah, or scriptural support for community halakah. While מדרש can be distinguished from the Pesharim (which had a different purpose outside the purview of this study³⁸⁷) in the community's collective life, the searching for God's will in Scripture, was the means by which they expected divine revelation to continue.³⁸⁸ Combined with the analysis of midrash as a title, one may conclude that the authors of the DSS used מדרש to relate to both the searching of Scripture and the composition that was the product of that search. The reason for interpreting Scripture is important: they were preparing for the eschaton, which they believed to be imminent.³⁸⁹ The interpretation of Scripture, and the hermeneutic of fulfilment, provides the *raison d'être* for the community's life in the wilderness. This interpretation had a two-fold function: to provide an explanation of the history and suffering of the community, and to clarify meaning in a time of expectation.³⁹⁰ The 'way' in the wilderness is the elucidation of Torah, an activity in which one person is continually engaged (1QS 6.6-7), and in which the whole community takes part at night (1 QS 6.7-8).³⁹¹ Through collective study, God's will is revealed to the community, placing study on par with other means of

³⁸⁷ The Pesharim follow a two-part structure, beginning with a biblical quotation and followed by an interpretation which includes identification and explanation (George J. Brooke 'Qumran Peshar: Towards the Redefinition of the Genre', *RevQ* 10 [1979-81]: 480-503, (496); see Lim, *Pesharim*, 50. While the term could be called 'Qumran midrash' (Brooke, 'Towards,' 502), it is not strictly a literary genre, but a method of scriptural exposition (Brooke reaches this conclusion in 'Florilegium,' *EDSS*, 1:298).

³⁸⁸ Fraade, 'Looking,' in *Biblical Perspectives*, 64.

³⁸⁹ Huntjens, 'Contrasting,' 380. Annette Steudel proposed that 4Q174 together with 4Q177 be classified as 'Midrash Eschatology,' *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidrEschat^{a,b}): Materielle Rekonstruktion, Textbestand, Gattung und traditions-geschliche Einordnung des durch 4Q174 ("Florilegium") und 4Q177 ("Catena A")) repräsentierten Werkes aus den Qumranfunden*; STDJ 13 [Leiden: Brill, 1994], 190-192, defining the term as a 'thematic midrash' the equivalent to Carmignac's 'peshar thematique' (Jean Carmignac 'Le Document de Qumrân sur Melkisédeq,' *RevQ* 7 [1970]: 342-78, [361]). Carmignac distinguishes peshar 'continu', in which there is a systematic interpretation of a portion of the Bible, from 'thématique,' in which texts are grouped artificially around a theme. Carmignac argues that midrash is not a genre under which peshar falls, since it treats prophetic material (*Les Textes de Qumrân: traduits et annotés*; 2 vols [Paris: Letouzey, 1961-63], 2:46). Steudel is seeking to refine the sense of midrash in the DSS, though such an attempt in the case of the Pesharim only serves to blur the lines between Qumranic exegesis and rabbinic interpretation (see Alexander, 'Bible,' 37).

³⁹⁰ Charlesworth and McSpadden, 'Social,' 317.

³⁹¹ Pfann, 'Midrash Sefer Moshe', *DJD XXXV*, 1-24, (2).

revelation. Indeed, the correct interpretation of the נגלה leads to the revelation of the נסתרות. Study is undertaken by the whole community, and the IL will not withhold any information, even from new members (1QS 8.11-12; 1 QS 5.2).³⁹²

The text of 4Q259, **היאה מדרש התורה אשר צוה ביד משה** clearly alludes to Isa 40.3, providing strong evidence that ‘preparing the way’ means study of the Law. If Metso is correct in arguing that 4Q259 is more original than 1QS, this lends credence to study being central to the community from its beginning.³⁹³ The redaction process of Serekh both strengthens the self-understanding of the community by underlining their role as guardians of the covenant and true keepers of the law, while also providing scriptural legitimisation for community regulations.³⁹⁴ Yet, those who wish to apply this understanding of **מדרש** to every occurrence of the term in the Scrolls are mistaken. The term still carries other meanings. While Schiffman may claim that **מדרש** can refer not only to halakic, but also haggadic exegesis, the former being more common,³⁹⁵ such a meaning does not extend to every occurrence. For example, in 1QS 6.24, the examination of a person is clearly in view.

As **מדרש** can carry the sense of scriptural interpretation in the DSS, one can see that the sense of **דרש** most common in the Tanak (searching), can now be extended to searching Scripture. This conclusion allows for another dot on the line between the use of **דרש** in the Tanak and the Mishnah. I propose that such a sense also appears in Ben Sira, which helps explain why the DSS contains such a wide use of **דרש** in technical and exegetical senses. The interpretation of the Law (**מדרש**)

³⁹² Fraade, ‘Interpretive,’ 52.

³⁹³ Metso, *Textual*, 74.

³⁹⁴ Metso, *Textual*, 89.

³⁹⁵ Schiffman, *Halakhah*, 60.

(הַתִּוְרָה) is a central concern of the Qumran community, as clearly evidenced in 1QS and CD.³⁹⁶

3.6.3 Midrash as Judicial Enquiry

A prominent sense of מִדְרָשׁ in the DSS is examination of members of the community. George Brooke has written that מִדְרָשׁ in Serekh ‘is the examination of people as much as it is the study of the text.’³⁹⁷ In 1QS 6.24 and 8.26, מִדְרָשׁ is used to mean a community investigation or examination, following the sense of דָּרַשׁ in the same text, where the object is a person: 1QS 5.20 ‘they shall examine (דָּרְשׁוּ) the deeds of one who wishes to enrol in the assembly of the holiness in respect of his insights and deeds in law’; 1QS 6.14 ‘the man appointed at the head of the Many will examine him (דָּרְשׁוּהוּ) regarding his insights and his deeds’; and 1QS 6.17 ‘... until they examine him (דָּרְשׁוּהוּ) about his spirit and his deeds, until he has completed a full year.’ The test or examination to determine a person’s worthiness to be a member, or full member, of the community is called מִדְרָשׁ. A similar sense is found in CD 15.11 where the person looking to be enrolled in the community must stand before the Inspector and should be persuasive ‘when he examines (בִּדְרָשׁוֹ) him’. This sense of מִדְרָשׁ or דָּרַשׁ is unique to the DSS and finds no equivalent in the Tanak, or other works. Community members are tested and may be expelled for not following the right interpretation of the law (CD 6.18; 20.32-33). Members are also part of establishing how to follow the law (1QS 6.6-8). Apart from 1QS 8.15, the remaining

³⁹⁶ Davies, ‘Reflections,’ 152.

³⁹⁷ Brooke, ‘Peshar,’ 90.

occurrences of מדרש in Serekh refer primarily to the examination of other members of the community, meaning that it takes on the sense of interpretation of people as much as of texts.

3.6.4 Conclusions on Use of Midrash in the DSS

The term מדרש carries three distinct senses in the DSS: a title, biblical interpretation, and examination of a person. These senses include the concept of study sessions, which fall under the category of biblical interpretation, and communal regulation, which falls under the titular category. The biblical sense of searching, which is the chief sense of the verbal form דרש in the Tanak, remains the foundation on which these senses lie. The object of searching now has additional foci; in addition to God (1QS 1.1), a text (both biblical and the משפט), and (unique to the DSS) a person can be the object of the search/examination. While the Tanak provides two examples of מדרש as a title (2 Chr 13.22; 24.27), this sense has greater prominence in the DSS, frequently carrying Torah as its object, underlining the importance of searching the Scriptures for the Qumran community. With five of the twelve occurrences of מדרש having תורה as their object, scriptural interpretation is the primary sense of מדרש in the DSS. Nonetheless, it must be noted that this is not the only sense present in the Scrolls, so it is not possible to say that מדרש only refers to the interpretation of Scripture. There are also instances where the titular form of מדרש refers to a community regulation, and where מדרש stands for examination of a person.

3.7 Conclusions on the use of דרש and מדרש in the DSS

This examination of the use of דרש in the Serekh texts has demonstrated that seeking the Lord was a primary concern, and that one of the means by which the Qumran community undertook this task was by studying Torah. The *yahad* defined itself as one which studies and searches Scripture (1QS 5.7-12; 6.6-8), and saw the preparation of the way of the Lord as the study of Torah (1 QS 8.15). The examination of דרש and מדרש in the Damascus Document supports this analysis, with דרש being used in a similar manner to its senses in Serekh. Furthermore, as an examination of the IL and Seekers After Smooth Things, has shown, the sectarians used Scripture to understand their identity as a community, and set themselves against the community of the wicked, who did not search Scripture correctly. It was important to search Scripture in the correct manner. The terms נסתרות and נגלה add to the evidence that searching Scripture was of primary importance for the Qumran community. The reason for searching Torah was to uncover the נסתרות, hidden from the rest of Israel but revealed to the community by searching Torah under the direction of the IL. For the present study, the presence of these נסתרות demonstrates that the community at Qumran did search the Scriptures for new halakoth, and used the term דרש to describe this search.

The examination of מדרש demonstrates that the term carries three senses in the DSS: a title, biblical interpretation, and the examination of a person. There are strong links to the biblical sense of both מדרש and דרש, which remain present in the occurrences of מדרש in the DSS, but with added nuance – the titular sense can now

be applied to scriptural interpretation and the development of halakah from that interpretation, and the primary sense of searching for God is extended so that search can take place in Scripture. This is not to say that this is the only sense in which מדרש is used in the Scrolls. מדרש can have a person as its object, with the sense of an examination of whether a person is worthy to join or re-join the community, and it may be a title for community regulations.

In the context of this study, it is important to note that דרש and מדרש are used within the DSS to refer to the study of or interpretation of Scripture. The primary sense of searching (especially for the Lord) which was present in the Tanak has taken on additional forms of meaning in the DSS. The *yahad* held Scripture in very high esteem and used דרש and מדרש to describe their searching of Scripture. The *yahad* searches for the will of God in Scripture/Torah, which is described in 1QS 8.15, as the preparation of the way of the Lord. While in the Tanak, the primary sense of searching for the will of God was through the medium of a prophet, for the *yahad* this search takes place in Scripture, and this search can dig up new halakoth. In the DSS, however, דרש and מדרש do not have the sole meaning of the interpretation of Scripture. They can also refer to the examination of a person, specifically whether that person is following the נגלה and נסתרות; failure to do so can mean expulsion from the community either temporarily, or permanently in the case of the נגלה.

The study of דרש and מדרש in the DSS has shown that one community in the last centuries BCE used דרש to describe their searching of the Scriptures, the next chapter will look at the text of Ben Sira, and examine how the sage searched the Scriptures, and the importance of Torah as the location for searching for God's will.

4 ‘Whoever seeks the Law will be filled with it’ (Ben Sira 32.15): An analysis of the use of שׂרש in Ben Sira

To this point in the dissertation the use of שׂרש in the Tanak and the DSS has been examined. The Tanak has provided a starting point for the examination of the use of שׂרש, while the DSS provide evidence of how one group in the Second Temple period used שׂרש. This chapter will consider the use of שׂרש in the book of Ben Sira, which will allow for both another text of the Second Temple period to be examined both in Hebrew and in translation to Greek. This will provide further evidence of שׂרש being used with the sense of interpretation of a text.

4.1 Introduction

The Hebrew term שׂרש occurs twelve times in the extant Hebrew text of Ben Sira, and is most frequently translated by the Greek ζητέω. In general, שׂרש is used in a similar fashion to the Tanak, although two passages warrant particular attention: 3.21-24, where Ben Sira forbids his students from searching for that which is ‘too difficult’, or ‘secret things’; rather the student must limit study to that ‘which is authorised’; and 32.14-16, where Ben Sira encourages the reader to seek God, and states that whoever seeks the law will be filled with it, on both occasions employing the Hebrew verb שׂרש. Additionally, in 51.23, reference is made to the Beth Midrash.

This chapter will analyse the use of שׂרש in Ben Sira 3.21-24 and 35.14-16 as well as the occurrence of Beth Midrash in 51.23.³⁹⁸ In the first passage, it will be

³⁹⁸ The reason for focusing on these three occurrences is that the other occurrences refer to ‘mundane’ seeking, that is seeking in the general sense of ‘to search’, as seen, for example, in the Tanak.

argued that Ben Sira indicates the limits of דרש, that is, what is appropriate for students to investigate. In the second, Torah is presented as that ‘which is authorised,’ the correct object of research. Finally, the chapter will examine the reference to the Beth Midrash in the final acrostic poem (Ben S 51.13-30), and discuss what it might mean within the context of his book. This study will shed light on the importance placed upon biblical interpretation by one sage in the last centuries BCE, and become more appreciative of the sense(s) of דרש at this time. The conclusions from the study of Ben Sira will be situated in the wider context by comparing the use of דרש in the Tanak and the DSS with Ben Sira. This chapter will argue that Ben Sira considers Torah (in its close relationship to wisdom) as the most appropriate object of דרש for his students. The sage warns his students against being attracted to Jewish apocalyptic and mystical works in their study, and guides them to search Torah instead (Sir 32.15). For Ben Sira, Torah could be searched for answers, using דרש with the sense of searching, or interpretation. The evidence from Ben Sira can be added to that of the DSS, that דרש was used to mean biblical interpretation in the last centuries BCE.

4.1.1 The text of Ben Sira

There are some problems associated with the text of Ben Sira. Its transmission is complicated – the Greek translation, attributed to the grandson of Ben Sira, is fully available, while the original Hebrew is only partly extant, with six manuscripts containing parts of the text found in the Cairo Genizah, one at Masada, and two at Qumran in caves 2 and 11; Syriac and Latin versions which have survived have their

own problems (which fall outside the parameters of this study³⁹⁹). Of the passages on which this study will focus, 3.21-22 is found in both MSS A and C, while the two following verses (3.23-24) have survived in MS A. Ben Sira 32.15 is found in MS B, while of the surrounding verses, 32.14 is found in MSS B and F, while 32.16 has survived in MSS B, C, and F. Ben Sira 51.23 is found in MS B and 11Q5.

The Hebrew text is dated between 200-175 BCE. The author's grandson translated the original text into Greek, writing about the year 132 BCE. The relationship between the Hebrew and the Greek is far from straightforward. Ben Sira's grandson translated the document in a different cultural context, influencing his choice of vocabulary. He may also have had a different goal in mind for the book than his grandfather. Some scholars, such as Yadin, argue that frequently the grandson failed to understand the Hebrew, and in others, he had difficulty translating.⁴⁰⁰ This may overstate the case; in this study, focus falls on the final Greek form rather than the quality of the translation.⁴⁰¹ Benjamin Wright examines the dependence on the Greek translations of the Hebrew Scriptures,⁴⁰² concluding that, while Ben Sira borrowed from the Tanak freely,⁴⁰³ his grandson was not overly dependent on the Pentateuch LXX and did not use it as a dictionary. Yet differences in style between the prologue and the translation hint at an attempt to render the

³⁹⁹ See John J. Collins, *Jewish Wisdom in the Hellenistic Age* (Louisville: Westminster John Knox, 1997), 43; Johann Cook, 'Law and Wisdom in the DSS with reference to Hellenistic Judaism,' in *Wisdom and Apocalypticism in the DSS and in the Biblical Tradition*, ed. by Florentino García Martínez (Leuven: University Press, 2003), 323-342, (324). While the Syriac and Latin texts will not be discussed in detail, especially any issues with their transmission, the Syriac parallels are discussed where they shed light on the texts which provide the focus of this study. The possibility that the Hebrew texts may have been retranslated from Syriac has been discounted by the discovery of Genizah MS B, which has in turn enhanced the credibility of other fragments (Collins, *Jewish*, 43).

⁴⁰⁰ Yigael Yadin, *The Ben Sira Scroll from Masada* (Jerusalem: Israel Exploration Society, 1965), 6.

⁴⁰¹ I shall be examining the text in its final form, and not engaging in an analysis as to the overall quality of the Greek, or how the translator understood (or did not) the original text.

⁴⁰² Benjamin G. Wright III, *No Small Difference: Sirach's Relationship to its Hebrew Parent Text*; SCS 26 (Atlanta: Scholars, 1989).

⁴⁰³ James Barr, 'Hebrew, Aramaic and Greek in the Hellenistic Age,' in *The Hellenistic Age*; vol. 2 of *The Cambridge History of Judaism*, ed. by W. D. Davies and Louis Finkelstein (Cambridge: University Press, 1990), 79-114, (81) also concurs with this point, claiming that the book of Ben Sira is closely related to the attributes of the Hebrew Bible, and not Middle or Mishnaic Hebrew.

translation in a more ‘biblical’ style, meaning that for the latter, the LXX translation language was appropriate.⁴⁰⁴ This study focuses on occurrences of שרר in the text and how they are rendered in Greek. With regard to the first point, particular focus will fall on the association of שרר with Torah, as well as looking for any association with the Greek genre of zētēsis.

Ben Sira wrote in a period which is labelled as Middle Judaism by Boccaccini.⁴⁰⁵ This period was a bridge between the ancient Judaism of the sixth to third centuries BCE and the two main Judaisms which followed – Christianity and rabbinic Judaism.⁴⁰⁶ This was not a period of homogeneous thought; rather one could better speak of a multiplicity of Judaisms in operation at this time. The background to Ben Sira is a Hellenised world – where philosophy, literature and athletics were prevalent.⁴⁰⁷ Ben Sira was writing in a polytheistic society. The Jews living in this world had the delicate problem of conforming themselves to ‘contemporary’ standards of what it meant to be civilised, while preserving in practice the essentials at least of their traditional monotheism, supported by observance of Mosaic law. For Ben Sira, the great gift of divine wisdom is the law of Moses (Sir 24.33) – though the understanding of this concept is by no means the same as that held by the Pharisees and, later, the rabbis.

Ben Sira was familiar with this Hellenistic world. He was well-travelled (34.9-12) and may well have known Greek.⁴⁰⁸ Yet, Hellenism did not captivate him, his focus always turned to Torah, the guide to a good life. To be a wise teacher,

⁴⁰⁴ Benjamin G. Wright III, ‘Access to the Source: Cicero, Ben Sira, the LXX and Their Audiences,’ *JSJ* 34 (2003): 3-18, and ‘Why a Prologue? Ben Sira’s Grandson and His Greek Translation,’ in *Emanuel*, ed. by Paul et al (633-44); see also Tessa Rajak, *Translation and Survival: The Greek Bible of the Ancient Jewish Diaspora* (Oxford: University Press, 2009), 135.

⁴⁰⁵ Gabriele Boccaccini, *Middle Judaism: Jewish Thought, 200 B.C.E. to 200 C.E.* (Minneapolis: Fortress, 1991).

⁴⁰⁶ Boccaccini, *Middle*, 25.

⁴⁰⁷ Roderick A.F. Mackenzie, *Sirach*; OTM 19 (Wilmington, Del.: Michael Glazier, 1983), 14.

⁴⁰⁸ Hengel, *Judaism*, 1:133.

according to Ben Sira, means to be someone ‘learned in holy Scriptures.’ To study the Torah and prophetic writings presupposes a ‘spirit of understanding’ (39.6). The text of Ben Sira contains no explicit references to scriptural passages,⁴⁰⁹ though he does identify ‘the law which Moses commanded us’ with the ‘book of the covenant’ (Ben Sira 24.33), and various biblical people and events are referenced, notably in the praise of the fathers (Ben Sira 44-49/50).

Not all commentators agree that Ben Sira knew Scripture, especially the books as known today. For example, Philip Davies argues that Ben Sira does not know the Pentateuch in canonical form, nor does he have a concept of Scripture, noting that he ‘does not cite prooftexts from the literature, nor does he exegete passages from it’.⁴¹⁰ Davies concedes that ‘book of the covenant of the Most High’ in Sir 24 refers to Deuteronomy, but Ben Sira does contain evidence he was aware of other sections of the Pentateuch. Sir 24.3-4⁴¹¹ clearly alludes to Exodus.⁴¹² Similarly, Sir 15.14; 17.7; and 25.24 make it difficult to conclude that Ben Sira was unaware of Gen 1-3.⁴¹³ It is more probable that Ben Sira knew the text but interpreted freely, than to assume that he was working from a variant form of the text. Sir 24.23 correlates the law that Moses commanded with the book of the covenant of the Most High God, a strong indication that the law existed in a written form. While the verse remains extant only in Greek, there is no doubt as to its meaning, and the book mentioned could only be

⁴⁰⁹ Robert A. Kraft, ‘Scripture and Canon in the commonly called Apocrypha and Pseudepigrapha and in the Writings of Josephus,’ in *Hebrew Bible*, ed. by Sæbø, 1:199-216, (211).

⁴¹⁰ Philip R. Davies, ‘Scenes from the Early History of Judaism,’ in *The Triumph of Elohim: From Yahwisms to Judaisms*, ed. by D. V. Edelman (Grand Rapids: Eerdmans, 1995), 145-82, (170).

⁴¹¹ ‘I came forth from the mouth of the Most High and covered the earth like a mist. I dwelt in the highest heavens and my throne was a pillar of cloud.’

⁴¹² For example, the pillars of cloud and fire (Exod 13.17-22); cloud covering the mountain (Exod 24.15-17); the tabernacle and cloud (Exod 40.34-38).

⁴¹³ Sir 15.41, ‘It was he who created humankind in the beginning,’ alludes to Gen 1.1; Sir 17.7, ‘he filled them with knowledge and understanding, and showed them good and evil,’ alludes to Gen 3.22; Sir 25.24, ‘From a woman sin had her beginning, and because of her we all die,’ alluding to Gen 3.17-19.

the Pentateuch.⁴¹⁴ John Collins correctly argues Ben Sira knew the Torah, most likely in a form that has been transmitted to us, which he interpreted freely, and not a variant, unattested form.⁴¹⁵ Jeremy Corley further argues that Ben Sira had access to most of the Hebrew Scriptures, including at least the Torah, the Former and Latter Prophets and Psalms, Proverbs and Job.⁴¹⁶ Given that the book was likely written in Jerusalem between 200-175 BCE,⁴¹⁷ this view stands to reason. Scripture has an important role in Ben Sira and this study aims to demonstrate that a unique element of Ben Sira's work was the emergence of Scripture as a worthy subject of enquiry.

Certain commentators have argued that Torah is not a subject of particular interest to Ben Sira. Von Rad argues that Sirach knows about it: 'it has a part to play, but basically for Sirach it is of relevance only in so far as it is to be understood on the basis of ... the great complex of wisdom teachings.'⁴¹⁸ Von Rad views Torah in Sirach as simply defining and interpreting the term fear of the Lord. On the contrary, Torah forms a central role in Ben Sira's theological outlook. In Ben Sira 32.14-16, seeking the Torah is paralleled with seeking God. The law is an expression of God's will for Israel, and, by studying and searching in the law, answers as to how to conduct oneself are found.⁴¹⁹ Study of the law is not undertaken for its own sake. Much of Ben Sira's teaching is in fact indebted to Torah, even a form of Torah

⁴¹⁴ Jan Liesen, 'A common background of Ben Sira and the Psalter. The concept of תּוֹרָה in Sir 32:14-33:3 and the Torah Psalms,' in *The Wisdom of Ben Sira: Studies on Tradition, Redaction, and Theology*, ed. by Angelo Passaro and Giuseppe Bellia; DCLS 1 (Berlin: de Gruyter, 2008), 197-208, (200).

⁴¹⁵ Collins, *Jewish*, 20.

⁴¹⁶ Jeremy Corley, 'Wisdom Versus Apocalyptic and Science in Sirach 1,1-10,' in *Wisdom and Apocalypticism in the Dead Sea Scrolls and in the Biblical Tradition*, ed. by Florentino García Martínez; BETL 168 (Leuven: Peeters, 2003), 269-85.

⁴¹⁷ See Patrick W. Skehan, *The Wisdom of Ben Sira: A New Translation with Notes*, Introduction and Commentary by Alexander Di Lella, OFM; AB 39 (New York: Doubleday, 1987), 10; Collins, *Jewish*, 23; Hengel, *Judaism*, 1:131; Jeremy Corley, *Ben Sira's Teaching on Friendship*; BJS 316 (Providence, R.I.: Brown University, 2002), 12.

⁴¹⁸ Gerhard von Rad, *Wisdom in Israel*; transl. James D. Martin (London: SCM, 1972), 247.

⁴¹⁹ Eckhart J. Schnabel, *Law and Wisdom from Ben Sira to Paul: A Tradition Historical Enquiry into the Relation of Law, Wisdom, and Ethics* (Tübingen: Mohr Siebeck, 1985), 32; John G. Snaith, *Ecclesiasticus, or the Wisdom of Jesus, son of Sirach* (Cambridge: University Press, 1979), 157; Theophil Middendorp, *Die Stellung Jesu ben Siras zwischen Judentum und Hellenismus*, (Leiden: Brill, 1973), 163 find that the most plausible explanation of Sir 32.15, 17, is that a written law is in view.

interpretation. The pursuit of wisdom must firstly be concerned with Torah (Sir 9.15); Ben Sira is a Torah scholar first and foremost, and his activity resembles the rabbis after him more than the prophets before him.⁴²⁰ The wisdom teacher becomes 'learned in Scriptures', as to study Torah presupposes the 'spirit of understanding' (Sir 39.6).⁴²¹ Such understanding is not to be found elsewhere (Ben S 3.21-24). In contrast, the sinner turns away from the law, and even distorts it for his/her own purpose⁴²² (Ben S 32.17b; 21.6). For Ben Sira, keeping the law is a mark of wisdom; it enables one to preserve oneself, and trust in the Lord, which he parallels with keeping the law (Ben S 32.24).

The primary goal of Ben Sira's work was to proffer wisdom, not exegete Scripture. The setting related to the Beth Midrash is also important. There is a pedagogical canvas on which the text is drawn, with Ben Sira seeking to construct a world for his students to inhabit, where he employs biblical language and texts, and authorises his own construction of the world and his students' place in it.⁴²³ He writes his book with students to the forefront of his mind, as a legacy for future generations (Ben Sira 50.27-28). Not only does he give his students information, he also sets the parameters for their own investigation, as exegesis of Ben Sira 3.21-24 and 32.15 will demonstrate.

4.2 Ben Sira 3.21-24: 'אל תדרוש ומכוסה'

21 פלאות ממך אל תדרוש ומכוסה ממך אל תחקור⁴²⁴

22 במה שהורשית התבונן לך עסק בנסתרות

⁴²⁰ Markus N. A. Bockmuehl, *Jewish Law in Gentile Churches: Halakhah and the Beginning of Christian Public Ethics* (Edinburgh: T&T Clark, 2000), 98

⁴²¹ Hengel, *Judaism*, 1:135.

⁴²² Skehan, *Ben Sira*, 398.

⁴²³ Benjamin G. Wright III, 'Biblical Interpretation in the Book of Ben Sira,' in *Companion*, ed. by Henze, 363-88.

⁴²⁴ Text and translation taken from www.bensira.org.

23 וביותר ממך אל תמר כי רב ממך הראית

24 כי רבים עשתוני בני אדם ודמיונות רעות מתעות

Translation: 21 Do not *enquire* after those things that are too *wonderful* for you, and that which is *concealed* from you do not delve into.

22 Concentrate on that which is *permitted/authorised*, for the *hidden things* are none of your concern.

23 And do not be bitter about the rest which is kept from you, for you have already been shown things which are greater than you.

24 For many are the schemes of people – evil imaginations causing them to go astray.

MS C

3.21 פלאות ממך אל תחקור ורעים ממך אל [...] רוש

3.22 באשר הורשית התבונן ועסק אל יהי לך בנסתרות

4.2.1 Sirach 3.21-24⁴²⁵

21 Χαλεπώτερα σου μὴ ζήτηι καὶ ἰσχυρότερα σου μὴ ἐξέταξε.

22 Ἄ προσετάγη σοι ταῦτα διανοοῦ οὐ γάρ ἐστίν σοι χρεία τῶν κρυπτῶν.

23 ἐν τοῖς περισσοῖς τῶν ἔργων σου μὴ περιεργάζου πλείονα γάρ συνέσεως ἀνθρώπων ὑπεδείχθη σοι.

24 Πολλοὺς γάρ ἐπλάνησεν ἡ ὑπόληψις αὐτῶν καὶ ὑπόνοια πονηρὰ ὠλίσθησεν διανοίας αὐτῶν

Translation: 21 Do not seek what is too *difficult* for you and do not examine what is too *powerful* for you.

22 Reflect upon what you have been *commanded*, for what is *hidden* is not necessary for you.

⁴²⁵ The Greek text is from Joseph Ziegler, ed. *Septuaginta: Vetus Testamentum Graecum* — Vol XII.2: *Sapientia Iesu Filii Sirach*. 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 1980).

23 Do not meddle in matters that are *beyond* you, for more than humankind can understand has been shown you.

24 For their speculation has led many astray and evil conjecture has made his understanding slip.

4.2.2 Context of Pericope

This pericope forms part of a longer passage (3.17-29) which treats the issue of humility – a disposition of the heart Ben Sira wishes to see among his students.⁴²⁶ It is linked to wise practice, an idea with echoes in Proverbs: ‘with the humble is wisdom’ (Prov 11.2); ‘the fear of the Lord is instruction and wisdom, and humility goes before honour’ (Prov 15.33). The humility Ben Sira urges in this poem is a combination of attitudes and virtues towards oneself and others, including an adequate self-image, patience, modesty, meekness, awareness of its limitation, respect for others, and, above all, total dependence on God.⁴²⁷ Showing humility is important for Ben Sira – 1.27; 4.8; 7.16-17; 10.26-28. The Hebrew word **יָנִיב** (Greek **πραΰτης**), here translated ‘humility’ also means ‘modesty, meekness’.⁴²⁸

Humility is important as Ben Sira is telling his students ‘know your limits!’ One way of showing humility is prayer, which is a form of humbling oneself before God.⁴²⁹ But humility also needs to be extended to study. The search for humility has roots in the prophetic writings, for example Zephaniah 2.3: ‘All you humble of the land who have fulfilled his law; seek righteousness, seek humility.’ The prophet links fulfillment of the law with the search for humility, which has similarities with

⁴²⁶ Jan Liesen, “‘With all your heart’: Praise in the Book of Ben Sira,” in *Ben Sira’s God: Proceedings of the International Ben Sira Conference of Durham – Ushaw College, 2001*, ed. by Renate Egger-Wenzel (Berlin: de Gruyter, 2002), 199-213, (211).

⁴²⁷ Skehan, *Ben Sira*, 160.

⁴²⁸ Skehan, *Ben Sira*, 160.

⁴²⁹ Jan Liesen, *Full of Praise: An Exegetical Study of Sir 39,12-35* (Leiden: Brill, 2000), 63.

the current passage. Ben Sira wants his students to maintain dependence on God. To rely on human power alone is insufficient in any domain of life. I propose that Ben Sira 3.21-24 warns students away from certain unapproved sources of study, while encouraging them to stick to what is authorised or commanded.

4.2.3 Key terms in 3.21-24

Within the pericope there are three key terms relating to what students cannot research: wondrous or marvellous things (Hebrew), hard or difficult (Greek) (פלאות /Χαλεπώτερα); things which are too powerful (or MS C evil [רעים]) (פלאות /ἰσχυρότερα); and secret or hidden things (נסתרות/κρυπτός). Students are encouraged, rather, to reflect upon what is authorised or commanded (שהורשית/προσετάγη σοι).

4.2.3.1 Wondrous or marvellous things / what is too powerful or difficult

It is difficult to identify what precisely Ben Sira means by these terms. They seem to be deliberately vague; it is clear some subjects of study are to be avoided, though the precise subject matter remains ambiguous. The adjective פלאות (3.21 Gk: ἰσχυρός) seems to describe ‘works of God’ generally, and the secrets of the universe in particular. The text of Ben Sira sheds some more light on its meaning. פלאות occurs in two other places in Ben Sira: In 11.4, the term modifies the works of the Lord (מעשי יהוה): ‘the works of the Lord are wonderful,’ and refers to the way human fortunes can unexpectedly change; in 43.25 פלאות refers to marvellous sea monsters, in the context of a passage which speaks of the ‘works of God’ generally. In Sir 18.4-7, the Greek text states that one cannot penetrate the ‘wonders’

(μεγαλεία) of the Lord. The context of Ben Sira favours a reading of פלאות which relates to the works of the Lord, yet the term lacks a specific point of reference.

Psalm 131.1 offers an interesting parallel. The psalmist says: ‘I do not occupy myself with things too great (גדל/μεγάλα) and too marvellous (פלא/θαυμασίος) for me.’ The psalmist, like a weaned child with its mother, prefers to place his trust in the Lord. The psalm also fits the theme of humility which frames the passage in Ben Sira.

One proposal is that these ‘wondrous things’ are the secrets of creation.⁴³⁰ Benjamin Wright agrees that the term seems to describe the works of God generally, and the secrets of the universe in particular.⁴³¹ In Ps 139.6, we read ‘Such knowledge is too wonderful (פלא/θαυμαστός) for me, too high, I cannot fathom it,’ with reference to the Lord’s knowledge of the psalmist and omnipresence. Yet the precise definition of the term remains elusive. From the evidence available, one can conclude that פלאות refers to the Lord’s wondrous works.

4.2.3.2 Evil things

MS C reads ‘evil’ (רעִים) in place of hidden or concealed things in 3.21, with דרש as the verb. ‘Evil things’ could form an *inclusio* with ‘evil and erring imaginations’ in the last colon of the stanza (24b).⁴³² Furthermore, the adjectives in the Greek translation follow the Hebrew of MS C (Χαλεπώτερα reflects a *Vorlage* more like

⁴³⁰ Nuria Calduch-Benages, ‘God, Creator of All (Sir 43.27-33),’ in *Ben Sira’s God*, ed. by Egger-Wenzel, 79-100, (94).

⁴³¹ Benjamin G. Wright III, “‘Fear the Lord and Honor the Priest’: Ben Sira as Defender of the Jerusalem Priesthood,” in *The Book of Ben Sira in Modern Research: Proceedings of the First International Ben Sira Conference, 28-31 July, 1996, Soesterberg, Netherlands*, ed. by Pancratius C. Beentjes (Berlin: de Gruyter, 1997), 179-222, (209).

⁴³² A reading proposed by Randal A. Argall, *1 Enoch and Sirach: A Comprehensive Literary and Conceptual Analysis of the Themes of Revelation, Creation and Judgement*; EJS 8 (Atlanta: Scholars, 1995), 75, not only for the *inclusio*, but also as it puns ‘high things’ (רמיִים) with ‘evil things’ (רעִים). In contrast, Skehan, *Ben Sira*, prefers the reading of MS A.

(רע'ים), while the verbs are closer to MS A. If the reading of MS C is correct, it indicates that the forbidden teaching is not *really* marvellous and 'high' (v. 21); quite to the contrary it is evil and stirs up the evil curiosity (v. 24). Thus, the diligent student will go out of his way to avoid it. These evil things are clearly to be avoided, but a more precise definition of what is not to be researched remains elusive. While this reading is not inconceivable, in my view, the parallels with Deut 28.29, and the dichotomy between hidden and revealed matters, support the alternative reading מכוסה. This reading connects with the following line.

4.2.3.3 The *nistarot*

The 'secret things' (נסתרות/κρυπτός) are often linked to future events.⁴³³ For Ben Sira, God alone has the power to search creation and reveal secrets (42.11-21). Deuteronomy 28.29 suggests that the *nistarot*, because they belong to God, are not to be researched by humankind, a view supported by Sir 11.4, which states that the works of the Lord are wonderful and to be kept secret (κρυπτός) from humankind. Two further verses illuminate the study of the 'secret things'. In 42.19, Ben Sira states that God discloses what has been and is to be and reveals the traces of hidden things (נסתרות – ἀπόκρυφος in Greek). The universe comprises not only the created order of visible and invisible things, but also the things that God ordained to happen.⁴³⁴ When the Greek term ἀπόκρυφος occurs, it nearly always refers to God's secrets,⁴³⁵ and here it is God who reveals those secrets.⁴³⁶ This supports the argument that the *nistarot* belong to God. Ben S 48.25 provides an interesting

⁴³³ Calduch-Benages, 'God,' 94; Benjamin G. Wright III, *Praise Israel for Wisdom and Instruction: Essays on Ben Sira and Wisdom, the Letter of Aristeas, and the Septuagint*; SuppJSJ 131 (Leiden: Brill, 2008), 117.

⁴³⁴ Wright, 'Fear,' 211.

⁴³⁵ The word also appears at 11.4; 16.21; 18.1-7; 39.7; 42.19; 43.37-33; 48.25.

⁴³⁶ Argall, *I Enoch*, 163; Ben S 42.18-21 suggests that God alone has the power to search creation, perceive its hidden things, and reveal its secrets.

contrast. Isaiah revealed what was to occur before the end of time – and the hidden things before they occurred. Ben Sira believes that Isaiah was shown eschatological realities, suggesting a prohibition on delving into the eschatological future.⁴³⁷ This must cast doubt on whether Ben Sira meant anything negative by stating that *nistarot* were not the concern of his students. It is more likely that the revelation of *nistarot* was honourable, but difficult, something reserved for the chosen few, perhaps one of the rewards granted to the disciples who seek wisdom (Ben S 4.11-19). Ultimately, it is God who chooses to reveal these secrets; therefore they are not to be explored by the student.⁴³⁸ Indeed, once a disciple accepts wisdom, she comes to him and reveals her secrets (4.18: נִסְתָּרִי). The suggestion therefore is that the pupil is not to enquire into the hidden things, as wisdom in her time will reveal them. The focus for the student should be on finding wisdom herself, via what is ‘authorised’ or ‘commanded’.

The revelation of what is hidden lies at the heart of the apocalyptic writings, frequently cited as one of the things Ben Sira is arguing against in this passage: the terrible consequences of speculative activity. The classic definition of the literary genre ‘apocalypse’ is provided by John Collins,⁴³⁹ who considers form and content, defining apocalypses as narratives in which angelic beings reveal hidden mysteries to humans. Thus, apocalypse is defined as:

a genre of revelatory literature with a narrative framework, in which a revelation is mediated by an otherworldly being to a human recipient, disclosing a transcendent reality which is both temporal, insofar as it envisages eschatological salvation, and spatial insofar as it involves another, supernatural world.⁴⁴⁰

⁴³⁷ Wright, ‘Fear,’ 211, see 1 Enoch 14 and Ar. Levi, which claim to know the eschatological future. Ben Sira in contrast refers to the hidden reaches of the cosmos only when they contain the elements God uses to carry out his judgement (Ben S 43.1-26).

⁴³⁸ J. K. Aitken, ‘Hebrew Study in Ben Sira’s *Beth Midrash*,’ in *Hebrew Study from Ezra to Ben-Yehuda*, ed. by William Horbury (Edinburgh: T & T Clark, 1999), 27-37, (35).

⁴³⁹ John J. Collins, ‘Introduction: Toward the Morphology of a Genre,’ *Semeia* 14 (1979): 9-10.

⁴⁴⁰ Collins, ‘Introduction,’ 9.

Writing at a time when apocalyptic writing was becoming more prevalent, for example in the book of Enoch, Ben Sira discourages his students from the false lure of apocalyptic and angelic visions and encourages them to focus on what is ‘authorised’ or ‘commanded’.

4.2.3.4 Authorised or commanded

Students are encouraged to focus on that which is ‘authorised’ / ‘commanded’ (שְׁהוֹרָשִׁית / προσετάγη σοι) in contrast to the ‘secret things’, or that which is ‘too wonderful’, ‘too difficult’, or ‘too evil’. All knowledge necessary for the student to have has been revealed. The most likely explanation for this is Scripture, or better Torah, which contains the only acceptable revelation of God.

Ben Sira’s ultimate desire is for his students to adhere to the law of Moses. One means of achieving this goal is to encourage them to confine their study to what is authorised, almost certainly a reference to the law.⁴⁴¹ In Ben Sira, the student who desires wisdom is instructed to keep the commandments (Sir 1.26), and constantly meditate on the commandments (Sir 6.37). There is a close association between law and wisdom (Sir 15.1; 19.20). Echoing a later rabbinic idea, one could argue Ben Sira sees the Torah as a fence of tradition.⁴⁴² By encouraging students to stay within its boundaries, he is protecting them against wild speculation and false fantasies – whether these come from Greek philosophy, or apocalyptic or mystic ideas. For intelligence to be authentic it must be linked to the law (and encourage obedience to the law). Intelligence claiming to be self-sufficient is transformed to foolishness.

⁴⁴¹ Wright, ‘Fear,’ 212; Argall, *I Enoch*, 76.

⁴⁴² Lewis J. Prockter, ‘Torah as a Fence against Apocalyptic Speculation: Ben Sira 3:17-24,’ in *Proceedings of the World Congress of Jewish Studies, Jerusalem, August 16-24, 1989, Division 10: The Bible and Its World* (Jerusalem: World Union of Jewish Studies, 1990), 245-52, emphasises this point.

This pericope can be seen as a guard against the use of such self-sufficient, even self-serving, intelligence – and against free enquiry.

The best explanation for the object of what is authorised is a text. The verbs in the passage refer to the activity of using texts for study, fitting the context of Ben Sira's school. The implication is that the same method of study is used in other schools, only the subjects of study are different.⁴⁴³ Ben Sira praises the scribe (38.34-39.35), particularly as the one devoted to study of the law (38.34). The importance of the written text is underlined in Ben Sira 39.32 and 42.7. Ben Sira stresses that his counterparts research unauthorised subjects. The forbidden material is somewhat attractive and has led to experimentation. Ben Sira urges his students to study with his instruction and to focus their study on Torah.⁴⁴⁴ Within the context of the pericope, with its focus on humility, the student is required to show the humble attitude necessary to confine study to the Torah. In a wider context, the debate may be part of an intra-Jewish debate on Torah interpretation.⁴⁴⁵

Ben Sira wishes to communicate that correct exegetical attitude to Scripture is important. This may be something that he teaches in his Beth Midrash (Sir 51.23). Deuteronomy 29.28 provides one key to the correct interpretation of the passage: what is hidden belongs to God, what is known is revealed to Israel in the Torah. To reject the anchor of Torah is to reject rationality and indulge in speculative and false fantasies – it leads one to seek in heaven what is already on earth.⁴⁴⁶ This is akin to cutting oneself off from God. In 34.5, Ben Sira says, 'Divinations and omens and dreams are unreal, and like a woman in labour, the mind has fantasies'; a dismissal

⁴⁴³ Henri I. Marrou, *A History of Education in Antiquity*; trans. by George Lamb (New York: Sheed & Ward, 1956), xiii.

⁴⁴⁴ Argall, *I Enoch*, 76.

⁴⁴⁵ Pancratius C. Beentjes, 'God's Mercy: "Racham" (pi.), "Rachum", and "Rachamim" in the Book of Ben Sira,' in *Ben Sira's God*, ed. by Egger-Wenzel, 101-117, (104).

⁴⁴⁶ Prockter, 'Torah,' 251.

of the apocalyptic, which he views as impure and irrational. Rather than seek knowledge in visions, divinations and dreams, which are subject to error, one needs to focus on Torah, the only acceptable revelation of God.⁴⁴⁷ It is Torah which contains all the answers – if searched correctly.

4.2.4 Greek Philosophy and Apocalyptic Wisdom

Scholarly debate is divided about what Ben Sira is warning his students against: on the one hand, there is the world of Greek philosophy, with its free enquiry and ζήτησις; and on the other, mystical and apocalyptic currents which were prevalent in the Judaism of Ben Sira's time.

4.2.4.1 Greek Philosophy

Many scholars argue Ben Sira is writing about the dangers of Greek philosophy in this passage. Alexander DiLella argues he is cautioning his students against the futility of Greek learning, including its goals and techniques, while directing them towards what the Lord has bestowed in Scripture.⁴⁴⁸ Similarly MacKenzie states that while the focus of these verses is obscure, it may concern the teaching of philosophy which would have been attractive for young Greek-speaking Jews, Ben Sira's potential students.⁴⁴⁹ Following this argument, the pious Jew did not need to have concern for the pretensions of Greek learning, having enough to contend with in the Torah. The pericope is therefore a warning against the dangers of intellectual pride and the futility of Hellenistic learning.

⁴⁴⁷ Wright, *Praise*, 118.

⁴⁴⁸ Skehan, *Ben Sira*, 160.

⁴⁴⁹ MacKenzie, *Sirach*, 34.

Victor Tcherikover sees the background of Ben Sira as a fight against the spirit of Greek civilisation.⁴⁵⁰ Free enquiry, unafraid to ask questions about nature and morality, or answer them by the power of the human mind alone, provoked fear in Ben Sira, who saw a contradiction to the spirit of Judaism. According to Ben Sira, the fear of the Lord, which is the beginning of wisdom (Sir 1.14), is absent from Greek speculation, and as such contrary to the spirit of Judaism. This fear is put into words in this passage, warning students away from free enquiry. Unchecked, this enquiry could lead to idle speculation; it needed to be held in check by fear of the Lord and the correct object for enquiry – Torah.

Ben Sira warns against intellectual pride, distancing himself from, and repudiating, philosophical speculation.⁴⁵¹ He may have had in mind Jewish apologists for Greek learning, who were attracted by this philosophical world and, lacking humility, were enticed by the opportunity to engage in free enquiry and the possibility that human reasoning could bring them knowledge.⁴⁵² For Ben Sira, however, it is better to fear God and lack brains than to be highly intelligent yet transgress the law (Sir 19.24; see 20.32).⁴⁵³

4.2.4.2 Mystical and Apocalyptic

An alternative viewpoint argues Ben Sira is warning against engaging in mystical and apocalyptic activity, seeking to discern secrets of nature and the deity, of creation and the inner workings of the universe, of future events and the eschaton. For Ben Sira, these are not the correct subjects of speculation, for God has withheld these things from humankind. Alternatively, they may view Scripture as an esoteric

⁴⁵⁰ Victor Tcherikover, *Hellenistic Civilization and the Jews*; 6th ed. [1st ed. 1959] (New York: Atheneum, 1982), 144.

⁴⁵¹ MacKenzie, *Sirach*, 34.

⁴⁵² Hengel, *Judaism*, 1:139-40.

⁴⁵³ Snaith, *Ecclesiasticus*, 24.

code to be cracked, or look for revelation through angelic intermediaries. According to Ben Sira, apocalypics do two things incorrectly: they look to dreams and not Torah, and they interpret Torah in an incorrect manner. For Ben Sira, accurate exegesis is of utmost importance.

In Sir 43.32, Ben Sira admits that he has seen only a portion of God's works and does not make any pretensions about knowing the future. God does not withhold such information, he has after all given it to Isaiah (48.25), what God has already given is plenty to contemplate, and these are the only things 'authorised'.⁴⁵⁴ This, in my opinion, is the central argument of the passage. Admonitions given by Ben Sira forbid his students from investigating the inner workings of the universe which cannot be fathomed, nor to try to divine future events, or eschatological happenings. Their attention is to be directed to the Torah, the authorised focus of their studies. By confining their study to the law, the only acceptable revelation of God, Ben Sira can keep his charges grounded. Thus, 'rather than a polemic against Greek philosophy, this passage confronts unauthorised interest in things that God has decided to withhold from human understanding'.⁴⁵⁵ This reveals Ben Sira's worry that his charges will focus on things which are too difficult, too great and perhaps even too dangerous to investigate – the secrets of God's order and the revelation of the future.

Consequently, apocalyptic mysticism, built on texts from Ezekiel and Isaiah 6, is to be avoided.⁴⁵⁶ Similarly, extra-Mosaic revelation, such as that found in Enoch,

⁴⁵⁴ Wright, 'Fear,' 211.

⁴⁵⁵ Wright, 'Fear,' 212.

⁴⁵⁶ *Merkabah* or *hekhalot* mysticism were the two genres which developed from Ezekiel and Isa 6. *Hekhalot Zutarti*, the oldest *Hekhalot* proper text extant, contains a collection of short *merkabah* passages, some in Aramaic. It probably was composed in the land of Israel in third century. The text begins with a short introduction: 'If you want to be singled out in the world and that the secrets of the world and the mysteries of wisdom should be revealed to you, you have to study this Mishnah and be careful about it until the day of your death.' See Ithamar Gruenwald, *From Apocalyptic to Mysticism: Studies in Apocalypticism, Merkavah Mysticism and Gnosticism* (Frankfurt, Peter Lang, 1988), 142.

is frowned upon. Lewis Prockter⁴⁵⁷ argues that those who engaged with both apocalyptic and mystic methods proclaimed new, extra-Mosaic revelation. For example, Enoch purported to disclose information of God's plan of divine retribution and knowledge of natural phenomena, such as the ordering of stars and calendar (1 Enoch 91-107). Bolder still, they claimed knowledge of secrets connected to creation. Prockter contends that, according to Ben Sira's view, they enquired into matters beyond them, transgressing Israel's self-imposed limits of enquiry accepted by a long line of wisdom teachers (Job 11.8; 28; Qoh 8.17; Isa 40.12-14).⁴⁵⁸ The good student must accept that wisdom has an impenetrable quality, which is restricted to God who does not self-disclose fully to humankind (Deut 29.28; Sir 24.28-29). The hidden things, Ben Sira states bluntly in 3.22, are 'none of your business'. What is known, by contrast, has been revealed to Israel in the Torah.⁴⁵⁹

Given the references to the heavenly transition of Enoch (Ben S 44.14, 16) and the vision of Ezekiel (Ben S 49.8), Ben Sira must have been aware of some apocalyptic or mystical traditions, which lends weight to the claim that Ben S 3.21-24 warned against speculation related to apocalyptic experiences. According to 1 Enoch, the patriarch gained his information by means of cosmic journeys during which he was able to see the operations of heavenly and meteorological phenomena.⁴⁶⁰ Sir 24.5 asserts that this was a privilege of wisdom alone. 1 Enoch (Ethiopic) 33.1-3 reads: 'I saw the ultimate ends of the earth which rests on heaven. And the gates of heaven were open, and I saw how the stars of heaven come out; and

⁴⁵⁷ Prockter, 'Torah.'

⁴⁵⁸ Prockter, 'Torah,' 248.

⁴⁵⁹ Prockter, 'Torah,' 248.

⁴⁶⁰ Ephraim Isaac, *1 Enoch*; *OTP* 1 (New York: Doubleday, 1983), 22. See 1 Enoch (Ethiopic) 17.7: 'I saw the mountains of the dark storms of the rainy season and from where the waters of all the seas flow.'

I counted the gates out of which they exit.⁴⁶¹ In contrast, Sir 1.3 indicates that only God knows the cosmic dimensions, while the Enochic Book of the Watchers attributes such knowledge to the patriarch.⁴⁶² What Enoch claims to know is regarded by Ben Sira as a mystery known only to God. The exegetical attitude towards Scripture of the apocalypics was characterised by the claim that some kind of additional revelation, usually with angelic beings playing a major role, is vital for understanding the inner layers of meaning of Scripture.⁴⁶³ Ben Sira considered this dangerous and preferred an exegetical technique which focused on Torah. The revelation of what is hidden lies at the heart of apocalyptic writing and is found in rabbinic exposition of Gen 1 and Ezek 1.⁴⁶⁴ While visions may have been inspired by Scripture, enabling one to gain new insights of the mysteries of God and this world, Ben Sira was uncomfortable with such an approach, warning his students away from the hidden things.

The danger with apocalyptic and mystical investigations was that Scripture became an esoteric code to be cracked, and that revelation comes through angelic intermediaries, and not through Moses.⁴⁶⁵ To seek in heaven what is already on earth, namely Torah, is not only foolish, but perilous. To seek what is 'beyond you' is to display pride, and cut yourself off from God, whose will is revealed to the humble here below, not to those trying to ascend to the heavenly realm. It is better to follow the guardians of tradition, who handed down the law to Moses on Sinai, which in turn was handed down through the generations until Ben Sira, whose own

⁴⁶¹ Isaac, *1 Enoch*, 28.

⁴⁶² See Michael E. Stone, 'Lists of Revealed Things in the Apocalyptic Literature,' in *Magnalia Dei, the Mighty Acts of God: Essays on the Bible and Archaeology in Honor of Ernest G. Wright*, ed. by Werner Lemke, Patrick D. Millar, and Frank M. Cross (New York: Doubleday, 1976), 414-53, (432-33); Argall, *1 Enoch*, 163. Isaac, *1 Enoch*, 42.

⁴⁶³ Gruenwald, *From Apocalyptic*, iv.

⁴⁶⁴ Christopher Rowland, *The Open Heaven: A Study of Apocalyptic in Judaism and Early Christianity* (London: SCM, 1982), 348. Such rabbinic expositions are not visions, but interpretations of the text.

⁴⁶⁵ Argall, *1 Enoch*, 79.

teaching is a legacy to all generations (Sir 24.33). The debate can therefore be understood as an intra-Jewish debate on Torah interpretation, as will be seen in the next passage (Ben S 32.14-16). Students who study with Ben Sira, and who search Torah, receive instruction (מִוֶּסֶר 35.14), a result that includes ‘an answer’ (מַעֲנֶה 35.14).⁴⁶⁶ This answer comes through exegesis.

4.2.4.3 A Compromise

An alternative hypothesis is that Ben Sira leaves the matter deliberately vague in order to incorporate both viewpoints, that he is arguing for the centrality of Torah and warning his students away from both Greek thinking and apocalyptic ideals.⁴⁶⁷ Jeremy Corley argues that Ben Sira in his book is seeking to defend traditional Hebrew wisdom against the twin challenges from Jewish apocalyptic writings and Greek science.⁴⁶⁸ Against the revelations of apocalyptic writings, especially early parts of 1 Enoch, and the enquiries of Greek philosophers such as Aristotle and Eratosthenes (whose works Ben Sira may have encountered on a visit to Alexandria, see Sir 24.12; 39.4), Ben Sira holds fast to traditional Jewish wisdom, which he regarded as enshrined in the law of Moses (see Sir 24.23; Deut 4.6). On the one hand, Jewish apocalyptists regarded Enoch as the one who revealed heavenly wisdom, while Ben Sira taught that necessary wisdom had already been revealed to Israel in the Torah. On the other hand, Greek scientists sought by human effort to uncover the mysteries of the cosmos, while Ben Sira insisted that God had provided

⁴⁶⁶ Argall, *1 Enoch*, 79.

⁴⁶⁷ Gruenwald, *From Apocalyptic*, 18 argues that both interpretations are in a way justified.

⁴⁶⁸ Corley, ‘Wisdom,’ 269. Corley notes that it is impossible to prove Ben Sira had access to these works as we do not have access to Ben Sira’s dialogue partners. Since Jewish apocalypticism was growing in second and third century BCE Palestine, while Greek science was growing at the same time in Alexandria, Corley hypothesises that Ben Sira was responding to these two important schools of thought.

all knowledge necessary for humankind.⁴⁶⁹ According to the sage, God's people have been shown where true wisdom lies: 'All wisdom is fear of the Lord, and in all wisdom is the fulfilment of the law' (Sir 19.20). By proposing Torah as the focus of his students' study, Ben Sira offers a response to exponents of either Greek philosophy, or apocalyptic wisdom.

Advocates of this position argue that Sir 1.1-10 further supports the claim that Ben Sira is engaged on a battle on two fronts, with a veiled critique of Enochic literature, in addition to warnings against the limits of Greek knowledge. Additionally, Theophil Middelndorp⁴⁷⁰ proposes parallels between Ben Sira and Greek literature (especially Theognis) which have been widely accepted. In Ben S 33.14-15, the doctrine of opposites echoes the view of the Greek Stoic philosopher Chrysippus (d. ca. 207 BCE).⁴⁷¹ The sage has other points of contact and conflict with Stoicism.⁴⁷² Hence, it is worthwhile to consider whether Ben Sira may be offering a response to Greek philosophy, particularly in the area of scientific, and indeed zetetic, enquiry. Moreover, questions in Sir 1.2-3 about counting grains of sand and measuring rain were concerns of Greek scientists.⁴⁷³ In *Philebus*: 55e, Socrates declares 'If someone were to take away all counting, measuring, and weighing from the arts and crafts, the rest might well be said to be worthless.'⁴⁷⁴ In

⁴⁶⁹ Corley, 'Wisdom,' 284.

⁴⁷⁰ Middelndorp, *Stellung*. This work has been critiqued by H.-V. Kieweler, *Ben Sira zwischen Judentum und Hellenismus*; BEATAJ, 30 (Frankfurt am Lang, 1992). However, a number of Middelndorp's arguments are taken up by Jack T. Sanders, *Ben Sira and Demotic Wisdom* (Chico, CA: Scholars, 1983); see Skehan, *Ben Sira*, 47-48. Florentino García Martínez, *Wisdom and Apocalypticism in the Dead Sea Scrolls and in the Biblical Tradition*; BETL 168 (Leuven: University Press, 2003).

⁴⁷¹ Collins, *Jewish*, 85.

⁴⁷² Hengel, *Judaism*, 1:147-149; Raymond Pautrel, 'Ben Sira et le stoïcisme,' *RSR* 51 (1963): 535-549; Ursel Wicke-Reuter, *Göttliche Providenz und menschliche Verantwortung bei Ben Sira und in der Frühen Stoa*; BZAW 298 (Berlin: de Gruyter, 2000), 202-206. A critique of such proposed connections appears in Sharon Lea Mattila, 'Ben Sira and the Stoics: A Re-examination of the Evidence,' *JBL* 119 (2000): 473-501.

⁴⁷³ Archimedes in the sand-Reckoner (or Psammites) aimed to measure the grains of sand that would fill the universe, concluding that it was less than ten to the power of 63. He aimed to do this via geometrical proofs. See Eduard J. Dijksterhuis, *Archimedes* (Copenhagen: Munksgaard, 1956), 360-373; Thomas L. Heath, *A Manual of Greek Mathematics* (Oxford: Clarendon, 1931), 327-330.

⁴⁷⁴ Dorothea Frede, *Plato: Philebus* (Indianapolis: Hackett, 1993), 67.

the context of the book as a whole therefore, it is very plausible that Ben Sira is pitching his tent away from both Greek learning and the Jewish apocalyptic and mystical worlds.

4.2.4.4 Conclusion

While the argument that Ben Sira is offering a middle course between Greek speculation and Jewish apocalypticism has merit, it is most likely that Ben Sira is warning his students to stay away from Jewish apocalyptic and mystical works in their investigation or study. Against Tcherikover et al, I would argue that Ben Sira did not see himself simply as a guardian of the virtues of Judaism against the free enquiry and philosophical speculation of Greek philosophy. In the current passage, the terms used (רַאִים/נִסְתָּרוֹת/פְּלִאוֹת) focus more on things which belong to God and are out of the reach of humankind. There are limits to what God reveals to humankind; what is revealed is to be found in Scripture, which must be searched and interpreted to reveal God's will, which will not come through angelic intermediaries.

For Ben Sira, Wisdom and Torah are very much linked.⁴⁷⁵ Wisdom is restricted to God, who never engages in full self-disclosure with humankind. Wisdom, identified with the law, can only be achieved by one who fears God and keeps the commandments,⁴⁷⁶ an argument made most explicit in Sir 19.20. If wisdom is equated with law, then the sage is the one who knows and practices the law.⁴⁷⁷ Ben Sira desires that his students adhere to the law of Moses and that they learn how to do this by instruction and study. This will lead them in turn to discover

⁴⁷⁵ Boccacini, *Middle*, 81 claims that Ben Sira's work is the first time that wisdom and law are identified as a common notion.

⁴⁷⁶ Skehan, *Ben Sira*, 76.

⁴⁷⁷ Daniel J. Harrington, 'The Wisdom of the Scribe according to Ben Sira,' in *Ideal Figures in Ancient Judaism: Profiles and Paradigms*, ed. by John J. Collins and George W.E. Nickelsburg (Atlanta: Scholars, 1980), 181-88, (182).

wisdom. In Ben Sira 32.17, the author characterises his opponents as men of violence who distort Torah, indicating the importance of correctly interpreting Torah. Ben Sira, in contrast, labours for all who seek wisdom or instruction (Sir 24.34; 33.16-18). Wisdom has come to Israel to give Torah life, so that, in Ben Sira, wisdom and Torah are inseparably linked in a synergistic relationship.⁴⁷⁸ Boccacini however argues that the wisdom dwelling among God's people is concretised in the Torah.⁴⁷⁹ Wisdom remains a heavenly being, living among the angels (Sir 24.2), and inaccessible to humankind (see Sir 1.10; 43.33). In contrast, Torah is accessible, God's gift delivered through Moses. In this way, the interpretation of 3.21-24 as a request to search Torah, and not other forms of apocalyptic searching, makes sense.

One danger of apocalyptic and merkavah wisdom is that it is not possible to place checks upon it, whereas if the Torah is the locus of one's search for God, it is possible to support one's search in a text. This is what Ben Sira is endeavouring to instil in his students, the correct way to search for God is through God's Torah, which offers wisdom in a written form to guide the path. This conclusion will be further supported by an analysis of Ben Sira 32.14-16.

4.3 Ben Sira 32.14-16: 'Searching the Torah'

MS B.⁴⁸⁰

דרש אל תי וקוה רצוין [] ומתלהל יוקש בו 14

דורש אל יקה מוסר [] ומשתרהו ישינ מענה

⁴⁷⁸ M.A. Jolley, *The Function of Torah in Sirach (Wisdom Literature)*; PhD diss. (Southern Baptist Theological Seminary, 1993), 148.

⁴⁷⁹ Gabriele Boccacini, *Roots of Rabbinic Judaism: An Intellectual History: From Ezekiel to Daniel* (Grand Rapids: Eerdmans, 2002), 147.

⁴⁸⁰ <http://www.bensira.org/navigator.php?Manuscript=B&PageNum=10>. MS F contains part of 32.14 and 32.16, but 32.15 is missing. The transcription is by Martin Abegg, with the translation my own based on that of Benjamin H. Parker and Martin Abegg.

דורש חפצי אל יקח ישא לקח [[]] ויענהו בתפלתו

דורש תורה יפיקנה [[]] ומתלהלה יוקש בה 15

ירא יי יבין משפט [[]] <והחבולות> מנשך יוציא 16

יראי יי יביו משפטו [[]] וכחמות וחכמות רבות יוציאו מלבם

14 *The one who s[eeks G]od h[opes for] favour. [[]] But the one without restraint is ensnared by it.*

The one who seeks God obtains discipline [[]] and the one who rises early will attain his answer.

The one who seeks the will of God will take instruction [[]] and he will answer him when he prays.

15 *The one who seeks the law will discover it [[]] but the one without restraint is ensnared by it.*

16 *The one who fears the Lord will understand justice [[]] and will bring forth counsel from darkness.*

Those who fear the Lord will understand his justice [[]] and will bring forth much wisdom from their heart.

14 ὁ φοβούμενος κύριον ἐκδέξεται παιδείαν καὶ ὀρθρίζοντες εὐρήσουσιν
εὐδοκίαν

15 ὁ ζητῶν νόμον ἐμπλησθήσεται αὐτοῦ καὶ ὁ ὑποκρινόμενος
σκανδαλισθήσεται ἐν αὐτῷ

16 οἱ φοβούμενοι κύριον εὐρήσουσιν κρίμα δικαιώματα ὥς φῶς ἐξάψουσιν

14 *The one who fears the Lord will receive discipline; and those who rise early will find favour*

15 *The one who seeks the law will be filled with it, but the hypocrite will be caused to stumble in it.*

16 *Those who fear the Lord will find judgement; and kindle righteous deeds like a light.*

As indicated in the analysis of Ben Sira 3.21-24, by asking his students to reflect on ‘what is authorised’ Ben Sira means Torah, an appropriate and indeed necessary object of **שׂרר**. In the current passage the verbal form of **שׂרר** occurs three times, with the objects respectively God,⁴⁸¹ the will of God, and Torah. This passage further highlights the importance of interpretation of the law for Ben Sira. Torah needs to be interpreted and it is the interpretation which is key, as it can act as a counterpoint and check to those who seek God in apocalyptic and mystical visions. For Ben Sira, the task of the pious Jew is to study the law and master it.

There are duplications in the text of MS B of Sir 32.14, 16. Of the four bicola in MS B, the two that provide the basic text are the second and the fourth. The first is a combination of verses 14a and 15b, and the third is a reworking of verse 14. Of the other versions, the Syriac only has verse 14, while the Greek reflects the earlier related verses 2.16 and 4.12.⁴⁸² The wider context underlines the importance of the law for Ben Sira. Furthermore, it presents the key concepts of wisdom, law, and fear

⁴⁸¹ Ben Sira’s grandson, in the Greek translation, does not deem it appropriate to translate this occurrence of **שׂרר** with ζητέω, choosing rather φοβέομαι. One can question whether this might mean that he deems the text of Torah (or νόμος) an appropriate object of **שׂרר**, but not God, who remains unknowable to humankind.

⁴⁸² Skehan, *Ben Sira*, 395.

of the Lord in a single passage, as well as explaining their relationship, which is characteristic of Ben Sira's thought.⁴⁸³

The verb שׁוּר occurs three times in the passage. In the first, the object is God, the Hebrew reading, 'the one who seeks God obtains discipline (מוֹסֵר)'. מוֹסֵר is a key concept in Ben Sira (6.22; 21.19, 21; 22.6; 23.7; 42.5, 8; 50.27).⁴⁸⁴ It is impossible to seek God without discipline. Argall proposes that an answer does not come from prayer, but is an exegetical answer.⁴⁸⁵ While this might reflect the overall tenure of the passage, it is not necessarily the case that seeking the Lord will result in an exegetical answer.⁴⁸⁶

The Greek translator renders שׁוּר אֵל with ὁ φοβούμενος κύριον, 'the one who fears the Lord'. Such a translation of שׁוּר is unknown in the LXX. The translator finds it inappropriate to present God as an object of human searching. He is aware of the significance of the verb as he uses ζητέω in the next verse where the law is the object. He can recognise that the law is an appropriate object of searching, but prefers the concept of ὁ φοβούμενος κύριον – oriented instead to subjection of humankind before God. While the motivations of the translator must remain speculative, it is fair to propose that for Ben Sira's grandson, the Torah, accessible on earth, is a more valid object of research than God. Indeed, he may view this as the perfect counterpoint to Ben S 3.21-24.

⁴⁸³ Antonino Minissale, *La Versione Greca del Siracide : Confronto con il Testo Ebraico alla Luce dell'attività Midrascica e del Metodo Targumico*; AnBib 133 (Rome: Pontifical Biblical Institute, 1995), 79; Snaith, *Ecclesiasticus*, 158; MacKenzie, *Sirach*, 125.

⁴⁸⁴ Skehan, *Ben Sira*, 397.

⁴⁸⁵ Argall, *I Enoch*, 79.

⁴⁸⁶ Sir 20.32 (only in ms.248) provides an interesting co-text: 'better to seek the Lord with unremitting patience than to be the masterless charioteer of one's own life'. The pericope in which it appears is secular, lacking deep religious content (which reappears in 21.1). Snaith (*Ecclesiasticus*, 65) notes, 'It is no wonder some pious editor considered the methods here described as "masterless" charioteering and felt obliged to add v.32 and recall opportunists to "fear of the Lord".' It is not out of place for Ben Sira to ask his students to 'seek the Lord'; what is more unique is how he advises his charges to find him, outlined in the next two columns.

Ben S 32.14 states that the one who seeks the will of God will obtain instruction and God will answer him when he prays. The Greek in contrast states that the one who rises early will find favour. The verb ὀρθρίζω can do without an object in Greek, see 32.14 (=Gk 35.14). Although ὀρθρίζω is not necessarily equivalent to שׁוֹחֵחַ (see Sir 4.12), the biblical evidence for שׁוֹחֵחַ as ‘intensive searching for a person’ leaves enough room for ‘searching diligently’ with an impersonal object.⁴⁸⁷ Antonino Minissale translates the second half of Ben S 32.14 ‘how many yearn for him will find an answer’.⁴⁸⁸ The one who rises early to seek God, and the will of God, is the ideal of a God-fearing person.⁴⁸⁹ There is a suggestion that the answer to this search comes in prayer. Again, the Hebrew שׁוֹחֵחַ is not represented by the Greek ζητέω. Indeed the two texts seem to almost bear little relation to each other, perhaps because the Hebrew text is overloaded with duplications.⁴⁹⁰ Additionally, the Hebrew אָנֹכִי, which indicates a concrete ‘answer’ is rendered by the Greek εὐδοκία, which carries a sense of obtaining the Lord’s favour.⁴⁹¹

Ben Sira 32.15 underlines the importance of Torah for Ben Sira. Those who seek the law will be filled with it, meaning wisdom. The student is to search Torah for answers, which do not necessarily come through prayer. The reason for (re)searching the Torah is that one may be filled with it and indeed ‘master’ it (Ben S 32.15). The goal of ‘searching’ (שׁוֹחֵחַ) Torah is to lead to its correct practice – for

⁴⁸⁷ See Prov 11.27 (‘good’), Job 24.5 (‘food’).

⁴⁸⁸ Minissale, *Versione*, 79: ‘e chi anela a lui otterrà risposta’. In contrast the Greek text reads: ‘Chi teme il Signore accoglie l’istruzione, e quanti anelano (a lui) troveranno il (suo) compiacimento’, ‘Whoever fears the Lord receives instruction, and those who yearn (for him) will find pleasure/satisfaction.’

⁴⁸⁹ See Ben S 4.12a, 13b. Love of God and love of Wisdom bring life and blessing. See Liesen, *Full*, 249.

⁴⁹⁰ Minissale, *Versione*, 80.

⁴⁹¹ Note especially the favour which God bestows in Luke 2.14 and 10.21.

the individual and the wider community.⁴⁹² The answer (מענה) of Ben S 32.14b therefore becomes an exegetical answer. While Argall proposes that Ben S 32.16 refers to a student coming with a question requiring ethical judgement, this appears to mistake the sense of the text in both Hebrew and Greek, which states simply that those who fear the Lord will find judgement.⁴⁹³ Argall is correct that through study of Torah in Ben Sira's school the student receives his answer, or gains instruction. In contrast, the madman (מתללה) is ensnared by Torah, which he twists to his own ends.⁴⁹⁴ Ben Sira 4.12 uses the same term 'be filled with' (פִּיֵּן/ἐμπίμπλημι) to describe the person who seeks wisdom from early in the morning being filled with joy. 'To be filled with the law' underlines the strong link between the law and its practice. Torah is to be used in study and worship, as well as being the guide to how one should live. To have true educational value, Torah must be studied, precisely what Ben Sira encourages his students. By itself Torah lacks autonomy and has no educational value. Rather, by searching Torah, the student will find answers to how to live one's life, guided by Wisdom.

תורה occurs 12x in the Hebrew text: 15.1b; 32.15a, 17b, 18b, 23a; 33.2a, 3b; 41.4a, 8b; 42.2a; 45.5d; 49.4c, and it is generally translated by νόμος (except 32.17b, 18b; 41.4a). Six of the occurrences are in 32.14-33.6, indicating the importance of Torah within the current passage. One can debate whether Ben Sira envisages a written Torah similar to the current version, or a more general idea of law. Some scholars indicate its unimportance, as he does not dedicate a poem or

⁴⁹² Skehan, *Ben Sira*, 397.

⁴⁹³ Argall, *I Enoch*, 79.

⁴⁹⁴ Ibid. This debate has parallels to the Qumran debates with the דרשי חלקה.

large pericope to Torah.⁴⁹⁵ However, the current pericope has Torah, and its correct interpretation, as its focus. Torah was central to Ben Sira, who believed that it was given to Moses by God on Sinai and he identifies it with wisdom which God has poured out on creation (Ben S 45.5).⁴⁹⁶ Following Ben S 3.21-24, where Ben Sira encouraged students to seek what was authorised, which I concluded must be the Torah, it is reasonable to state that Torah existed in a written form at this time and Ben Sira was inviting students to study and interpret a written Torah.⁴⁹⁷

There are two ways of understanding שׂרר in Ben Sira 32.14-16: ‘to look for,’ or to ‘consult/study’. The former fits the activity of searching for God, but not the idea of searching for Torah, unless Torah carried the meaning of instruction. In the latter, one must question whether God is an appropriate object of consultation or study, even if this were appropriate for Torah. The sense of Torah as instruction is well attested in the Psalter and goes well with the grammatical indefiniteness of the expression.⁴⁹⁸ However, if the meaning of consulting is taken, then the Torah is searchable, and would refer to Pentateuchal law. Understanding Torah as Pentateuch fits the position of the Tanak and Psalter, but it seems disrespectful to apply ‘consulting’ to God! In Ben S 33.3b, Ben Sira states that the law is as dependable as consulting the divine oracle, providing further evidence that Torah is to be consulted for answers. The best answer is that Ben Sira may have used שׂרר in two different senses. Where God is the object, the verb takes the sense of searching, which is

⁴⁹⁵ Schnabel, *Law*, 11; Von Rad, *Wisdom*, 247; Johann Marbock, *Weisheit im Wandel* (Bonn: Peter Hanstein Verlag, 1971), 81-96.

⁴⁹⁶ Martin Hengel, ‘The Interpenetration of Judaism and Hellenism in the Pre-Maccabean Period,’ in *The Hellenistic Age*, vol. 2 of *Cambridge History of Judaism*, ed. by W. D. Davies and Louis Finkelstein, 167-228, (223-224).

⁴⁹⁷ The term שׂרר תורה is also found in Ezra 7.10.

⁴⁹⁸ Liesen, ‘Common,’ 203.

common in the Tanak, while in Ben S 32.15, where Torah is the object, it takes on the sense of consultation or study, prominent in the DSS.⁴⁹⁹

In Ben S 32.16-18, distinctions between the God-fearing and wise person on the one hand, and a violent and arrogant scorner on the other, are outlined with reference to Torah. The God-fearing, wise person understands and practices the law, while the violent and arrogant ‘scorner’ distorts Torah to fit his or her own need. That Torah can be distorted provides further evidence that it existed in some sort of fixed (written) form, and can be studied – adding further proof that דרש must refer to the interpretation or investigation of a text.⁵⁰⁰

The phrase דרש תורה is central to the current passage and provides insight into how Ben Sira views Torah, and the importance of correct Torah interpretation. For Ben Sira, the diligent student seeks answers in Torah, which contains God’s revelation and wisdom. Such a conclusion follows Ben S 3.21-24, where students were asked to avoid that which was too difficult, or hidden, and to concentrate on what is authorised. My contention that this was a reference to Torah is supported by the interpretation of Ben S 32.14-16, in which the sage asks his students to search Torah for answers. These answers are exegetical and provide guidance to daily life.

Until this point in my study of Ben Sira, there has been much discussion of a school setting. The next section will examine the phrase ‘Beth Midrash’, a reference to that school, or house of instruction.

4.4 Beth Midrash (Ben S 51.23)

פנו אלי סבלים [[]] ולינו בבית מדרשי

⁴⁹⁹ See 1QS 6.6; 4Q159 5.6; 4Q375 1ii7.

⁵⁰⁰ Liesen, ‘Common,’ 204.

Approach me, (you) uneducated, and dwell in the house of study

ἐγγίσατε πρὸς με ἀπαίδευτοι καὶ ἀυλίσθητε ἐν οἴκῳ παιδείας

Draw near to me you who are uneducated, and dwell in the house of instruction

This verse, the פ-line in the acrostic poem in Ben Sira 51.13-30 has been described as the first attestation of בית מדרש.⁵⁰¹ On the basis of the Greek ἐν οἴκῳ παιδείας and the Syriac *yulpānā* it is possible that the original Hebrew reading was בית מוסר.⁵⁰² Although there is some evidence to reconstruct בית מוסר as original and consider בית מדרש a secondary reading, there are no conclusive arguments to determine whether this secondary reading is the result of a mediaeval retroversion or an inner-Hebrew development.⁵⁰³ In this section, it will be argued that בית מדרש is the correct reading, an argument supported by the use of דרש in Ben Sira. Additionally, I shall make some brief comments on what may have been taught in Ben Sira's house of instruction.

While Beth Midrash is often translated as a 'house of study', others propose that the Greek might be better translated 'house of instruction'.⁵⁰⁴ Earlier in this poem, Ben Sira describes the passionate search for and disciplined study of wisdom: 'I explored her (אדורשנה) in depth' (14b). House of study is more than a technical term, the expression draws on the notion of 'explore' present in the verb of 14b. If

⁵⁰¹ Snaith, *Ecclesiasticus*, 261; Wido Van Peursen, 'Sirach 51.13-30 in Hebrew and Syriac,' in *Hamlet on a Hill: Semitic and Greek Studies Presented to Professor T. Muraoka on the Occasion of his Sixty-Fifth Birthday* ed. by, M. F. J. Baasten and Wido Van Peursen (Leuven:Peeters, 2003), 357-74, (369). Van Peursen argues that the פ-line should be the ס-line, noting that if we also read סורי instead of פנו at the beginning, it would read מוסר ... סורי, similar to סור and מוסר in Sir 6.22.

⁵⁰² Patrick W. Skehan, 'The Acrostic Poem in Sir 51.13-30,' *HTR* 64 (1971): 387-400, (397). Skehan also notes the yod suffix on בבית מדרש, which fits neither the Greek, nor Syriac.

⁵⁰³ Van Peursen, 'Sirach,' 37.

⁵⁰⁴ Newsom, *Self*, 41; Hengel, 'Interpenetration,' 223.

בית מדרש is correct reading in Sir 51.23, the root דרש in v23b could well refer to the activity of ‘exploring’ Torah in Ben Sira’s school,⁵⁰⁵ a place to explore and learn. The goal of this search is wisdom. Such a conclusion is supported by the close relationship between Wisdom and Torah, present throughout Ben Sira.

It is frequently proposed that the Beth Midrash is a school. Henri Marrou states that Sir 51.23 refers to a school for training scribes.⁵⁰⁶ Declor argues that Ben Sira is first and foremost a man of the book, which he studies in order to seek out the law.⁵⁰⁷ This knowledge is then passed on to the students who reside in his school (בית מדרש). Rainer Riesner proposes that the first Torah-centred schools in Jerusalem may have developed in reaction to Jason’s gym.⁵⁰⁸ There was no public education in Jerusalem in Ben Sira’s time, and Ben S 51.23 is the earliest clear reference to a school in a Jewish text. There can be little doubt a בית מדרש was known in Jerusalem in Ben Sira’s time, and that it forms the setting of the sage’s own teaching.⁵⁰⁹ The content and style of teaching that took place in this school remains elusive; it would not necessarily have been influenced by the Hellenistic gym and world of philosophy. The best place to look for evidence is within the book of Ben Sira itself. The school of Ben Sira most likely focused on teaching his students wisdom through Torah study. Consequently, it is not unthinkable that Ben Sira did indeed call his school a בית מדרש, as he encouraged his students to focus on what was commanded (Ben S 3.22) and study Torah (Ben S 32.15).

⁵⁰⁵ Argall, *I Enoch*, 69.

⁵⁰⁶ Marrou, *History*, xvii.

⁵⁰⁷ Mathias Declor, ‘The Apocrypha and Pseudepigrapha of the Hellenistic Period,’ in *The Hellenistic Age*, vol. 2 of *Cambridge History of Judaism*, ed. by Davies and Finkelstein, 409-53, (419).

⁵⁰⁸ Rainer Riesner, *Jesus als Lehrer: Eine Untersuchung zum Ursprung der Evangelien-Überlieferung* (Tübingen: Mohr Siebeck, 1981), 206. Elias J. Bickerman, *The Jews in the Greek Age* (Cambridge, MA: Harvard University Press, 1988), 171, notes that Jewish students were competing with the Greek idea of *paideia*, based on Homer. In response, Ben Sira proposed teaching the Torah to his students, the intelligentsia of Jerusalem.

⁵⁰⁹ Collins, *Jewish*, 36.

While one side of the argument proposes a metaphorical understanding of the Beth Midrash as a house of learning without rabbinic denotation of exegetical expounding of Scripture,⁵¹⁰ a counter argument may be devised based on the wide use of the root **דרש** in the DSS in the technical sense of Torah exegesis. This use of **דרש** suggests it could have such meanings in Ben Sira,⁵¹¹ and support the reading of **בית מדרש** in Ben Sira 51.23. The implication of the poem is that the same method of study is used in other schools, only the subjects of study are different.⁵¹² Ben Sira saw his work as ‘expounding’ the text of Scripture and consequently the language therein. A study of Ben S 3.21-24 and 32.14-16 permits a deeper understanding of what were (and were not) appropriate objects of study. In the first passage, Ben Sira advised his students to be humble and not search for that which was too difficult or beyond them (that is apocalyptic and mystical teachings), but to study what was authorised, in other words Torah, which the latter passage explicitly proposes as an appropriate subject of study. For this reason, it is plausible that **בית מדרש** is the original reading.

4.5 Conclusions on the use of **דרש** in Ben Sira

This chapter has argued that scriptural enquiry took a new form in Ben Sira. James Kugel states ‘Ben Sira and the author of the Wisdom of Solomon did something no sage had done before: they made Scripture part of the subject of their enquiry.’⁵¹³ From the seventh century BCE, Scripture had become God’s great book of instruction which was relevant to people in any age. By the time of Ben Sira biblical

⁵¹⁰ Yitzhak Heinemann, ‘Midrash,’ *BibEnc*, 4:696.

⁵¹¹ See Schiffman, *Halakhah*, 54-60

⁵¹² Argall, *I Enoch*, 76.

⁵¹³ James L. Kugel, ‘Ancient Biblical Interpretation and the Biblical Sage’ in *Studies in Ancient Midrash*, ed. by James L. Kugel (Harvard: Harvard Center for Jewish Studies, 2001), 1-26, (12).

texts were the subject of scrutiny for all their possible implications. The sage's task was to scrutinise them correctly, ignoring the attraction of free enquiry put forward by Greek wisdom and focusing enquiry on the Torah. The Torah is of prime importance for much of Ben Sira's teaching, which can be viewed as a form of Torah interpretation.⁵¹⁴ For Ben Sira, the pursuit of wisdom is in the first instance to be concerned with Torah (Ben S 9.15). Ben Sira is primarily a student of the Torah and for this reason closer in outlook to the rabbis who follow him than to the prophets who came before him. His book provides an important link in the chain which connects the rabbinic writings and their use of *דרש* and *מדרש* to the Hebrew Scriptures. Thus far, the use of *דרש* and *מדרש* in the Tanak and the DSS has been investigated. From the meaning of 'to search,' generally with God or the Lord as the object, the sense of the terms has expanded, to include texts as the object of *דרש*, as seen in the DSS. The same sense of *דרש* is present in Ben Sira, where once again Torah appears as an object of *דרש*; indeed the sage exhorts his students to seek/investigate the Torah.

The Greek translation offers the opportunity to examine how a text has been translated into Greek. In chapter five, the translation of *דרש* into Greek will be examined in detail, where it will be argued that the choice of ζητέω to translate the majority of occurrences of *דרש* bears some debt to the genre of ζήτησις. The translation of Ben Sira's work into Greek follows the same pattern, although limiting discussion only to Ben Sira/Sirach such a position would be more difficult to maintain in isolation.

⁵¹⁴ Bockmuehl, *Jewish*, 98.

The book of Ben Sira shows a development in the use of **דָּרַשׁ** from the Tanak. The roots of midrash are visible, as Ben Sira instructs his students to confine their study to the law in order to find the answers to the problems life brings. This is similar to what the rabbis were doing in midrash, although as time passed the endeavour became more structured and regulated. Nonetheless, one can see how the senses of **דָּרַשׁ** had expanded, providing another key link in understanding the term.

This chapter had demonstrated how Ben Sira encouraged his students to focus on interpretation of Torah in order to search for answers (Ben S 32.14-16); the law is the permitted object of study, in contrast to the *nistarot* or that which is too difficult, which, it was argued, stands for apocalyptic and mystical searching. Therefore, Ben Sira is writing to a Jewish audience and presenting the interpretation of Torah as a means of accessing Wisdom, which is present on earth in the Torah.

The next chapter will examine how the rabbis employed **דָּרַשׁ** and **מִדְרַשׁ** in the Mishnah, the first of the great works of rabbinic literature.

5 The use of דרש and מדרש in the Mishnah

The dissertation has to this point examined the use of דרש and מדרש in the Tanak, which serves as a base point for the interpretation of the terms, before examining their usage in the DSS, and Ben Sira, which allow one to see how they were used in two settings within the period of Second Temple Judaism. From a starting point of an almost exclusive sense of ‘to search,’ additional senses have been placed on the terms. While Ezra 7.10 provides an example of a text as an object of דרש, this sense is much more prevalent in the DSS, and Ben Sira provides further evidence not only of a text being an appropriate object of דרש, but also that the Torah is the proper place to search for the will of God. While this textual-interpretive sense of דרש has emerged, the term retains its basic sense of searching, and is still used with the ‘mundane’ sense of searching. The next step in the process is to examine the use of דרש and מדרש in a text of rabbinic Judaism. While at this point, one might assume that the textual-interpretive sense of דרש and מדרש will become predominant, the examination of the use of these terms in the Mishnah will demonstrate that in the first great text of rabbinic Judaism, while דרש occurs most frequently with the sense of textual interpretation, it is still not used exclusively with this sense, and does retain the sense of examination of a person, as has been seen in the DSS.

5.1 Introduction

This chapter will examine the use of **דרש** and **מדרש** in the Mishnah,⁵¹⁵ seeking to determine to what extent the terms refer to the interpretation of Scripture. Following this investigation, the data will be compared to that of other texts in this study, noting similarities and differences in their use of **דרש**.

By examining the evidence of the Mishnah, the scope of the investigation is restricted to a single important text, the earliest of rabbinic literature.⁵¹⁶ While it cannot claim to be an exhaustive overview of Judaism at the time, the Mishnah is the document which is foundational to rabbinic Judaism, being the first text chronologically, followed by the Tosefta (‘supplement’), which imitates the themes of the Mishnah almost tractate by tractate,⁵¹⁷ and the Talmuds, which contain commentaries on the Mishnah by rabbis living between 200-500CE.⁵¹⁸ For that reason the Mishnah is indicative of a view of Judaism which existed in the early centuries CE, and a suitable place to conclude analysis of the use of **דרש** and **מדרש**.

The focus of this study is on the text of the Mishnah itself, and not on themes, ideas or phenomena which may lie behind the text. It will not focus on the issue of dating, except to the extent that the matter is of undeniable importance to the interpretation of a *mishnah*. Similarly, while the Tosefta, and Talmuds may offer a

⁵¹⁵ In this chapter Mishnah with an upper case M refers to the entire text of the Mishnah, while a lower case m (*mishnah*) indicates an individual paragraph within the larger work.

⁵¹⁶ Hayim Lapin, ‘The Rabbinic Movement,’ in *The Cambridge Guide to Jewish History, Religion and Culture*, ed. by Judith R. Baskin and Kenneth Seeskin (Cambridge: University Press, 2010), 58-84, (67).

⁵¹⁷ Alexander Samely, *Forms of Rabbinic Literature and Thought: An Introduction* (Oxford: University Press, 2007), 34. The Tosefta is organised around the Mishnah, with individual traditions ranging from citing of and commentary on the Mishnah to a tangential relationship with the material discussed in the Mishnah (see Lapin, ‘Rabbinic,’ 68-69). This has been shown explicitly for the Order Toharot, see Jacob Neusner, *The Redaction and Formulation of the Order of Purities in Mishnah and Tosefta*; vol. 21 of *A History of the Mishnaic Law of Purities* (Leiden: Brill, 1977), 247 ff.

⁵¹⁸ Stemberger, *Introduction*, argues that interpretation of the Mishnah begins in the Tosefta, and especially in the Talmud, 145.

route for further investigation, this largely falls outside the domain of this study, except when it further illuminates the question of the interpretation of **דרש** in the Mishnah, or helps resolve a debate on the meaning of **דרש** in a particular context.

The Mishnah is an important bridge between inner-biblical and rabbinic exegesis.⁵¹⁹ A key question for this study is when **דרש** came to have the sense of being applied to the interpretation of a (scriptural) text. As shown in the study of the DSS and Ben Sira, this sense is present in both, therefore, while one may expect it to be present in the Mishnah, this chapter will investigate whether **דרש** is always used in this sense, or if earlier senses of the term remain.

5.2 Form

In form, the Mishnah is akin to an open invitation to discussion; it seldom legislates on disputed points of law, rather it offers a variety of opinions held by authorities on halakic matters and presents both sides of the arguments. As Philip Alexander argues, it could be viewed as the edited transcripts of the great rabbinic academies of Palestine.⁵²⁰ The origin of the word ‘*mishnah*’, from the root (**נשנ**) ‘to repeat’, bears the sense of tradition repeated and memorised.⁵²¹ The Mishnah speaks for and to a community; it does not want to be identified with ideas of one person.

Two opposing viewpoints address the question of how rabbinic texts ask to be read. Jacob Neusner argues that the implicit *de facto* boundaries of most rabbinic

⁵¹⁹ Jay M. Harris, ‘From Inner-Biblical Interpretation to Early Rabbinic Exegesis,’ in *Hebrew Bible*, ed. by Sæbø, 1:256-69, (258).

⁵²⁰ Alexander, *Textual*, 14.

⁵²¹ Jaffee, *Torah*, 4.

documents present strong evidence that they are best read as single documents, with a coherent message/narrative.⁵²² On the other hand, Alexander Samely⁵²³ espouses the view that rabbinic statements, while they may look as if they imply a whole system of ideas, do not work like this within the texts themselves. The literature itself does not offer an articulation of the system of which single statements could be taken to be a summary.⁵²⁴ There is therefore, according to Samely, and in disagreement with Neusner, no unified message present in any rabbinic document, the Mishnah included. The rabbinic documents are constituted by discourse, not narrative, and while rabbinic texts may contain short narratives, these are integrated into an ongoing fabric of exposition and argument.⁵²⁵ Similarly, Steven Fraade has shown that although the Mishnah appears to lack a meta-narrative that justifies its laws, it employs various narratological techniques – ranging from dialogues to acts – which function as background and justification.⁵²⁶ Thus, the narrative of the Mishnah is connected to the giving of the law at Sinai (m. 'Abot 1.1), and the Mishnah builds a bridge between the two to assert its authoritative nature.

Alexander Samely seeks to strip the works of rabbinic Judaism down to their most basic forms. In so doing, he moves outside of the assumptions of traditional historical and literary scholarship, arguing that it is impossible to access the historical context of the rabbinic documents without contextual rules to which the contemporary reader has no access. A better starting point, he argues, is to engage with the texts on the level of their own discourse, which addresses specific themes in a homogeneous,

⁵²² Jacob Neusner, *Form-Analysis and Exegesis: A Fresh Approach to the Interpretation of the Mishnah* (Minneapolis: University of Minnesota Press, 1980), 5.

⁵²³ Samely, *Forms*, 3.

⁵²⁴ Samely, *Forms*, 5.

⁵²⁵ Samely, *Forms*, 8.

⁵²⁶ Fraade, 'Nomos and Narrative Before Nomos and Narrative,' *YJLH* 17 (2005): 81-96, (esp. 93-94).

stylised manner.⁵²⁷ As the editors behind the texts of early rabbinic literature did not deem it necessary to contextualise their works, the context stands out of reach to the contemporary scholar, who has no means by which to access this information.⁵²⁸ Samely, taking the forms of individual statements in the documents as his starting point, demonstrates how rabbinic thought is intertwined with the nature of texts and rabbinic textuality.⁵²⁹ The contemporary reader will come to an awareness that general statements are not reliable and do not function as summaries of thought. For this reason, it is often difficult to speak of rabbinic theology and rabbinic ideals as something homogeneous. It is the structures and the forms that are constants, often in contrast to rabbinic thought, which is much more fluid.

It is this latter approach which influences most strongly the reading of the Mishnaic text in this chapter, which will examine the occurrences of *דרש* and *מדרש* in the context of the *mishnayot* in which they appear, before, in conclusion, arriving at a final statement on how both the verbal and nominal forms are used in the Mishnah as a whole.

5.2.1 Date

Dating rabbinic material can be a difficult issue, especially as the origin of the material is often older than the written documents.⁵³⁰ While the Mishnah is dated to the first half of the third century CE,⁵³¹ it records the teachings of not only rabbis in the years immediately preceding the written composition, but also some earlier, pre-

⁵²⁷ Samely, *Forms*, 1.

⁵²⁸ Samely, *Forms*, 203.

⁵²⁹ Samely, *Forms*, 13.

⁵³⁰ Birger Gerhardsson, *Memory and Manuscript: Oral Tradition and Written Transmission in Rabbinic Judaism and Early Christianity* (Lund: CWK Gleerup, 1961), xxii.

⁵³¹ Samely, *Forms*, 17.

Destruction, Pharisaic traditions.⁵³² Instone-Brewer argues that the school debates which are contained in the Mishnah provide evidence that some pre-Destruction teachings have been preserved, though they have passed through the hands of editors.⁵³³ Thus, while the ideas may be faithful reflections of the practices of the rabbis pre-70CE, as they have been edited and redacted, they do not represent the actual words spoken or written in the pre-Destruction era.⁵³⁴ While the final form of the Mishnah long succeeded the completion of the NT writings, in some cases the interpretations agree with those found in Josephus, the NT, and even the LXX.⁵³⁵

5.3 Role of Scripture in the Mishnah

How groups read the Bible provides an important insight into how they see themselves and their origins. Scripture is quoted relatively rarely in the Mishnah; there are 265 quotations across its 517 chapters. Considering some chapters contain several quotations, this means a citation is quite rare. Scripture is used in three ways: tractates simply repeat Scripture in their own words; tractates take up facts of Scripture but work them out in a way those scriptural facts cannot have predicted; tractates take up problems in no way suggested by Scripture.⁵³⁶ Moreover, the rabbis

⁵³² Lawrence H. Schiffman, 'New Light on the Pharisees,' in *Understanding the Dead Sea Scrolls*, ed. by Hershel Shanks (London: SPCK, 1992), 217-224, (218). The Pharisees are understood to have originated in the years following the Maccabean rising and to have continued teaching up until the Destruction of the Temple in 70CE. They were succeeded, so to speak, by the Tannaim, the teachers of the Mishnah.

⁵³³ David Instone-Brewer, 'Theology of Hermeneutics,' in *Encyclopaedia of Midrash: Biblical Interpretation in Formative Judaism*, ed. by Jacob Neusner and Alan J. Avery-Peck (Leiden: Brill, 2005), 292-316, (315). Evidence of editing includes making Scripture totally self-consistent; it means that every detail of Scripture is significant; that Scripture is understood according to its context; that Scripture does not have a secondary meaning; and that there is only one valid text form of Scripture.

⁵³⁴ David Instone-Brewer, *Prayer and Agriculture*; vol. 1 of *Traditions of the Rabbis from the Era of the NT* (Grand Rapids/Cambridge: Eerdmans, 2004), 1.

⁵³⁵ Edward M. Cook, 'The Interpretation of the Hebrew Bible in the Targums,' in *Companion*, ed. by Henze, 92-117, (92).

⁵³⁶ David Kraemer, 'The Mishnah,' in *The Late Roman-Rabbinic Period*, vol. 4 of *The Cambridge History of Judaism*, ed. by Steven T. Katz (Cambridge: University Press, 2006), 299-315, (299); Stemberger, *Introduction*, 128.

employed scriptural citations with a relative degree of freedom, so that on occasion there is no link between the original context and the subject identified in the Mishnah (for example, m. Hūl. 12.1; m. Yebam. 8.2); on other occasions the surrounding biblical text plays an important role in the interpretation (m. Pesah 7.1; m. B. Qam. 1.1).⁵³⁷

Scripture plays little role in the Mishnah, given the Mishnah rarely cites a verse in its entirety, links its own claims to those of Scripture, or lays claim to originate in Scripture. Nor did the authors seek to imitate the language of Scripture.⁵³⁸ Rather, the Mishnah constitutes a statement *on* the meaning of Scripture, distinct from a statement *of* the meaning of Scripture.⁵³⁹ The Mishnah wishes to stand autonomous of Scripture and claim the source of laws other than Scripture. Yet, the opposite is also the case, the Mishnah depends on Scripture, echoing its thematic concerns and topics. The Mishnah does not cite Scripture because it does not have to; it stands on the same plane as Scripture; the Mishnah is part of the Torah of Moses, the oral Torah, which stands beside the written Torah (m. 'Abot 1.1).⁵⁴⁰

It is possible nonetheless to learn something from the school debates as to the rabbinic approach to Scripture. Certainly, as noted above, on occasion the Mishnah does not take into account the context of a scriptural passage. Yet, laws as presented in the Mishnah could not have survived and been passed down without some connection to Scripture. Azzan Yadin states that Scripture determines legal midrash 'from both ends,' meaning that it signals to the reader what may be interpreted, then either interprets the signals itself or establishes the midrashic canons by which they

⁵³⁷ See Samely, *Rabbinic*, 81-94.

⁵³⁸ Neusner, *Judaism*, 217; see also Jacob Neusner, *Is Scripture the Origin of the Halakah?* (Lanham, MD: University Press of America, 2005).

⁵³⁹ Jacob Neusner, *An Introduction to the System of the Mishnah* (Hoboken, NY: Ktav, 1991), 77.

⁵⁴⁰ Neusner, *Introduction*, 80.

may be interpreted. Consequently, Scripture is at the epicentre of the midrashic process.⁵⁴¹ This was certainly the case for later midrashim, but one must question whether this process was expressly present in the Mishnah. While Scripture is a source for the Mishnah, it remains an indirect source. One occasion where Scripture is explicitly cited as a source for the elaboration of a law is the separation of the High Priest before Yom Kippur (m. Yoma 1.1). Ironically, this has no scriptural foundation.⁵⁴² Others argue that Scripture was added at a later editorial stage. While the editing of the Mishnah lies outside the purview of this study, it suggests that Scripture verses may have been added to support certain *mishnayot*.⁵⁴³ While the mishnaic method of teaching halakah allows repetition independent of Scripture, running commentary of the scriptural text is also present (Ma‘aś. Š 12.6 on Deut 25.7-10; Soṭah 8.1-6 on Deut 20.2-9; Sanh. 2.4-5 on Deut 17.15-19). M. Šabb. 8.7-9.4 offers an example of the biblical text as a ‘proof’ for a traditional law, which while it may not meet later standards and may be better termed indirect support, can be classified as biblical support for a halakah.

M. Ḥag. 1.8⁵⁴⁴ offers the best insight into how the Mishnah views its own relationship with Scripture. Parts of Mishnaic law are not at all or loosely connected with Torah, others vastly expand it or systematise it in a way which could not be envisaged by the biblical text, while a third group paraphrases and develops biblical law. For this reason, Stemberger argues that the Mishnah wants to distinguish itself from Scripture. It does not act as a biblical commentary, nor claim to be in direct

⁵⁴¹ Azzan Yadin, ‘Resistance to Midrash? Midrash and *Halakah* in the Halakhic Midrashim,’ in *Current Trends*, ed. by Bakhos, 35-58, (41).

⁵⁴² Kraemer, ‘Mishnah,’ 303.

⁵⁴³ Stemberger, ‘From,’ 196.

⁵⁴⁴ ‘[The laws concerning] the dissolution of vows hover in the air and have nought to rest on. The laws concerning the Sabbath, festal-offerings, acts of trespass are as mountains hanging by a hair, for they have scant scriptural basis but many laws. [The laws concerning] civil cases and [temple] services, Levitical cleanness and uncleanness, and the forbidden relations have what to rest on, and it is they that are the essentials of the Torah.’

continuation of biblical law.⁵⁴⁵ Neither does it separate itself wholly from Scripture, and citations, while not prevalent, are present. This study shall note the frequency with which such citations are modified by the verb דרש, asking whether this holds significance for the meaning of דרש in the Mishnah.

5.4 How דרש is used in the Mishnah

The various occurrences of דרש in the Mishnah will be examined individually, before drawing some general conclusions as to the sense of דרש in the document as a whole. This will demonstrate that while the majority of instances relate to the interpretation of Scripture, by the time of the Mishnah, דרש could still carry other senses, including that of investigation in a legal sense. Then, the use of דרש in the Mishnah can be compared with its usage in other texts, noting trends, especially with respect to its connection to the interpretation of Scripture.

5.4.1 The occurrences of דרש and מדרש in the Mishnah

The noun מדרש occurs seven times in the Mishnah, twice referring to the בית מדרש (Ter. 11.10; Pesah. 4.4), three times with the sense of exposition (Šeqal. 6.6; Yebam. 10.3; Ketub. 4.6) and twice with the sense of study (Ned. 4.3; 'Abot 1.17). The verbal form is found twenty-seven times. The most frequent object is a verse of Scripture (fourteen times), with Scripture in general appearing as the object three

⁵⁴⁵ Stemberger, 'From,' 196. Furthermore, Stemberger argues one of the tasks the authors of the Tosefta undertake is to add biblical prooftexts missing in the Mishnah (198).

times. On three occasions the object is **מדרש**, twice referring to scriptural exposition and once to exposition of a *mishnah* (Ketub. 4.6). In five cases the verb is used in a legal context, twice the object is a person under investigation, twice it refers to the examination of a case, and once to the decision of a court. While the most common sense of **דרש** in the Mishnah is the exposition of Scripture, there remain occasions when its meaning is not limited to interpretation of the biblical text.⁵⁴⁶ The various occurrences will be examined individually.

Ber. 1.5⁵⁴⁷: The Exodus from Egypt is rehearsed [also] at night. R. Eleazar b. Azariah said: Lo I am like to one who is seventy years old yet failed to prove why going forth from Egypt should be rehearsed at night until Ben Zoma thus *expounded* it: for it says: (**עַד שְׁדַרְשָׁהּ בֶּן זֹמָא שְׁנֵאמַר**): that thou mayest remember the day when thou camest forth out of the land of Egypt all the days of thy life. ‘The days of thy life’ [would mean] the days only; but ‘all the days of thy life’ [means] the nights also. The Sages say: ‘The days of thy life’ [means] this world only; but ‘all the days of thy life’ is to include the Days of the Messiah.

In this passage, part of a larger discussion concerning the recitation of the *Shema*, it is clear that a scriptural verse (Deut 16.3) is the object of **דרש**, with Ben Zoma expounding the verse, concluding that because the text says ‘*all* the days of thy life,’ the reference to the Exodus in the *Shema* must be mentioned at night as well as during the day. Interestingly, Instone-Brewer indicates that this passage may have originated

⁵⁴⁶ See, for example, Stemberger, *Introduction*, 234.

⁵⁴⁷ Translations from the Mishnah are taken (unless otherwise indicated) from Herbert Danby, *The Mishnah: Translated from the Hebrew, with Introduction and Brief Explanatory Notes* (London: Oxford University Press, 1933). The text of the Mishnah is that of Philip Blackman, *Mishnayot*; 2nd ed.; 7 vols. (Gateshead: Judaica, 1983).

pre-70 CE, as the Exodus passage was included as part of the *Shema*. He does however mark Ben Zoma, who provided the exposition, as a third generation Tanna, a period which he dates as 110-135 CE.⁵⁴⁸ Ben Zoma interprets Deut 16.3 in order to argue that the *Shema* must be recited during the night.

Ter. 11.10: Heave-offering oil that [has become unclean and] must be burnt, may be kindled in synagogues, in **houses of study** (מדליקין שמן שרפה) (בבתי כנסיות ובבתי מדרשות), in dark alley-ways and over sick people, that it is a place where a priest may enter in.

In this verse, the occurrence of מדרש is in the construct 'Beth Midrash', which has a special status along with the synagogues, dark alleys and the vicinity of sick people, in that oil which may be burnt in the presence of a priest may be burnt there. The *mishnah* offers no further insight into what activity may take place in the Beth Midrash.

Pesah. 4.4: Where the custom is to kindle a lamp on the nights of the Day of Atonement, they may do so: where the custom is not to kindle it, they may not do so. But they may kindle it in the synagogues, **houses of study** (ומדליקין) (בבתי כנסיות ובבתי מדרשו), dark alleys, and over sick persons.

As in the previous example, this verse references the special status of the Beth Midrash as a place where a lamp may be kindled on the night of Yom Kippur. There is no indication given as to what happens in a Beth Midrash. In his translation of the

⁵⁴⁸ David Instone-Brewer, *Prayer*, 48. While the dating of the Mishnah falls outside the scope of this examination, it is nonetheless worth noting this verse where an object of דרש is a scriptural verse is dated so early by Instone-Brewer. It must also be borne in mind that scriptural supports may have been added at a later date.

Mishnah, Instone-Brewer⁵⁴⁹ uses the translation ‘study-house’ for the Beth Midrash, indicating that he feels an educational element was present, though there is nothing in the text to prove this. Günter Stemberger asserts that the phrase means ‘house of study,’ with the study in question of a biblical nature.⁵⁵⁰

Pesah. 10.4: And here the son asks his father (and if the son has not enough understanding his father instructs him [how to ask]): ‘why is this night different from other nights? ... And according to the understanding of the son his father instructs him. He begins with the disgrace and ends with the glory; and he **expounds** from ‘a wandering Aramean was my father’ ... until he finishes the whole section (אָבִי אֶדְרֹשׁ מֵאֵלֶּיךָ עַד שִׁגְמוֹרָה) (כל־הַפֶּרֶשָׁה כּוֹלָהּ [Deut 26.5 ff.].

The questions in this passage of the Mishnah concern the unique aspects of the Passover meal, and the reply includes the retelling of the events of the Exodus based on an exposition of Deut 26.5 onwards. Traditionally the retelling ends at 26.8, which concerns the Exodus, which is perhaps confirmed by m. Pesah. 10.5.⁵⁵¹ In this passage, reading דִּרְשׁ as ‘expound’ would suggest that each Passover, every father has to expound a passage from Deuteronomy. It is difficult to imagine everyone being expected to produce new midrashic interpretations. Consequently, it has been argued the passage be read with the sense of ‘to recite’, carrying the sense of public exposition, itself proposed as a suitable English translation of דִּרְשׁ.⁵⁵² One problem with the translation of דִּרְשׁ as public exposition in the current *mishnah* is that the

⁵⁴⁹ <http://instonebrewer.com/RabbinicTraditions/>. Danby, *Mishnah*, 140, similarly translates house of study, the accepted translation of Beth Midrash.

⁵⁵⁰ Stemberger, *Introduction*, 234.

⁵⁵¹ Instone-Brewer, *Traditions*, 2:182.

⁵⁵² Gertner, ‘Terms,’ 7.

setting of Pesah. 10.4 is within the home and therefore not strictly speaking a ‘public’ exposition. Nonetheless, the initial objection has merit and an alternative translation than ‘expound’ could be found. There must be something more than reading in view here and the best translation to English may be ‘explain,’ as the father takes on the responsibility of drawing out the full meaning of Scripture.⁵⁵³ According to the Talmud (y. Pesah. 10, 70a-b),⁵⁵⁴ the role of the Father is to teach the child according to the child’s ability to learn, indicating more than simple reading of the biblical text. Rather, explanation is required. דרש cannot therefore here simply mean recite. While it may not mean exposition in the rabbinic sense of uncovering a hidden meaning of Scripture, it does carry the sense of explaining and teaching from the Scripture. While this can mean exposition, ‘explain’ is a better translation in this case, treating as it does the explanation of the significance of some verses from Deut 26.

According to Instone-Brewer,⁵⁵⁵ this passage has a strong possibility of having a relatively late date, in contrast to m. Ber. 1.5. It would thus seem that there is little correspondence between the dating of mishnayot and the use of דרש.

Šeqal. 1.4: But the priests used to expound this Scripture for their advantage

(וְכָל־זֶה לְעֶצְמָן): ‘And every meal-offering of

the priest must be wholly burnt; it shall not be eaten.’ [Lev 6.17]

⁵⁵³ The difference in meaning between פִּשְׁתָּהּ and דִּרְשָׁהּ is relevant here. In later texts, it could be argued that the use of דִּרְשָׁהּ signified that a deeper meaning was being drawn out of the passage, while פִּשְׁתָּהּ would indicate that a simple meaning was inferred. However, such a distinction was not present when the Mishnah was written. The verb קָרָא was frequently used in the Tanak with the sense of a public reading (Exod 24.7; Jos 8.34; Isa 34.16; Ezra 4.18; Neh 8.8) and would surely be more appropriate for the setting of a Passover meal.

⁵⁵⁴ The Talmud offers advice for teaching four types of children: wise, evil, foolish, and a child who does not have the intelligence to ask. The Gemara of the Bavli reads: ‘Our Rabbis taught: If his son is intelligent, he asks him, while if he is not intelligent his wife asks him; but if not, he asks himself. And even two scholars who know the laws of Passover ask one another.’ (b. Pesah. 116a)

⁵⁵⁵ Instone-Brewer, *Traditions*, 2:183.

The background to this *mishnah* is that since three meal offerings are brought as public offerings at the charges of the Temple fund (which is mentioned by the Shekel contribution), the private may not contribute to the Temple fund: if they contributed to the rest of these meal-offerings they would need to be burnt; and this would be contrary to Scripture. In this passage, the object of דרש is a verse of Scripture (Lev 6.17), and the priests are accused of interpreting this particular verse to their advantage. Therefore, the meaning of דרש is the interpretation of a scriptural passage.

Šeqal. 6.6: Jehoiada the High Priest gave the following exposition (זה מדרש)
(דרש יהוידע כחן גדול), ‘It is a guilt offering he is certainly guilty before
the Lord.’ [Lev 5.19]

In this passage, both מדרש and דרש are present, with מדרש as the object of דרש. The exposition given by Jehoiada refers to two verses from Leviticus (5.19 and 7.6). The High Priest encourages everyone to offer a guilt offering, because they are no doubt guilty of something! Both מדרש and דרש are related to scriptural exposition, in addition to being closely connected with each other. While דרש is the object of מדרש, the scriptural verses are the subject of the exposition.

Yoma 1.6: אם היה חכם דורש ואם לאו תלמידי חכמים דורשין לפניו:

If he was a sage he used to expound [the Scriptures], and if not the disciples of the sage used to expound before him.

This *mishnah* refers to the prohibition on the High Priest sleeping on the night before the Day of Atonement. To stay awake, he used to hold a discourse interpreting

biblical passages, but if he was not learned, the scholars used to do it for him. The meaning of the *mishnah* refers to the interpretation of biblical books, specifically the Pentateuch and the prophetic books.⁵⁵⁶ The distinction between reading and interpreting is that the Hagiographa could not be interpreted and thus were read, while the verb דרש refers to the interpretation of suitable books – the Pentateuch and Prophets.

On the contrary, Mandel argues that דרש is best translated by ‘instruction,’⁵⁵⁷ citing the present verse as well as m. Sanh. 11.2, in addition to other verses from later midrashim to argue his case.⁵⁵⁸ Yet, firstly, the two verses are not of the same ilk, as Sanhedrin speaks to the context of a court case and cannot fairly be read in the same way as the verse from Yoma. The current passage distinguishes verses from the Torah and those from the Ketuvim. The simplest explanation is that they were viewed in a different light by the rabbis; Torah verses were suitable objects for exposition, while Job, Ezra, and Chronicles were not, and therefore could simply be read and not expounded or interpreted.⁵⁵⁹

Yoma 8.9: Thus did R. Eleazar ben Azariah expound (אֶתְּנוּ דִּרְשׁ רַבִּי)

(אֵלֶּעָזָר בֶּן עֲזַרְיָה): ‘From all your sins before the Eternal shall ye be clean.’

[Lev 16.30] – for transgressions that are between man and God the Day of

⁵⁵⁶ Zeitlin, ‘Midrash,’ 28.

⁵⁵⁷ Mandel, *Origins*, 229.

⁵⁵⁸ Mandel, *Origins*, 222.

⁵⁵⁹ Danby proposes these three books divert the mind and drive away sleep, the objective for the High Priest (*Mishnah*, 163). The *shivat yamim* offers a third alternative in the case that the high priest is not able even to understand Scripture as read before him, his entourage tell him stories about royal and pious heroes of the distant past, thus introducing an additional level of ignorance to the Mishnah (see Ismar Elbogen, *Studien zur Geschichte des juedischen Gottesdienstes* [Berlin: Mayer & Mueller, 1907], 104; as cited in Menahem H. Schmelzer, ‘How was the High Priest Kept Awake on the Night of Yom ha-Kippurim?’ in *Saul Lieberman [1898-1983] Talmudic Scholar and Classicist*, ed. by Meir Lubetski [Lewiston, NY: Edwin Mellen, 2002], 59-70, [61].) This reading offers further support that there is a difference in nature between the scriptural interpretation, indicated by the use of דרש, and the more simple reading, signalled by קרא.

Atonement effects atonement; but for transgressions that are between man and his fellow the Day of Atonement effects atonement only if he has appeased his fellow.

In this *mishnah*, a scriptural verse (Lev 16.30) is the object of interpretation by R. Eleazar ben Azariah. As a contrast, later in the passage R. Akiva cites Ezek 36.25, but does not offer an interpretation, therefore the verb **אמר** is used. While this could be because the verse came from the Prophets, it is more likely that **אמר** was used as there was no interpretation offered, as elsewhere **דרש** is used with non-Torah scriptural verses as the object in Meg 2.2 (Esther); Soṭah 5.5 (Job); and Hag 2.1 (Ezekiel).

The exposition of Lev 16.30, that the Day of Atonement purifies all sins ‘before the Lord’, implies, according to Eleazar, that it does not apply to sins against other people. Repentance must be sincere; therefore if a sin is wilfully repeated, or the pardon of the person against whom one has sinned was not sought, repentance is useless. In the passages attributed to Akiva, God addresses Israel when they have delved to the very depths of sinfulness – they are guilty of idolatry (Ezek 36.18, 25) and blasphemy (Ezek 36.20-23), and Jer 17 emphasises that Israel’s heart is engrained with sin and deceit (Jer 17.1, 5, 9f.), despite which, God forgives them.

It is important to note once again, the object of **דרש** is a scriptural verse, and that in this *mishnah* a clear distinction is made between **דרש** and **אמר**, suggesting **דרש** carries a different meaning – interpretation. While Instone-Brewer argues the

scriptural support was added at a later date,⁵⁶⁰ an examination of the text preserved notes that דרש is used to indicate interpretation or exposition of a scriptural verse, irrespective of whether this was added at the editing stage.

Meg. 2.2: If a man read it piecemeal or drowsily, he has fulfilled his obligation; if he was copying it, expounding it, or correcting a copy of it (היה כותבה דורשה ומגידה), and he directed his heart [to the reading of the scroll], he has fulfilled his obligation; otherwise he has not fulfilled his obligation.

The tractate Megillah deals with the time and manner of the public reading of Esther at Purim (see Esth 9.28); and continues by treating the times and public reading of other portions of Scripture. M. Meg. 2.2 provides examples of how a person may fulfil the obligation to read the Scroll while engaged in another activity. In this *mishnah*, דרש is distinguished from קרא (reading), meaning that something more than simply reading is indicated by דרש. The other activities in the same category as דרש (copying and correcting) are scholarly activities, which indicates דרש here means exposition of Scripture, even if no specific biblical verse is cited.

אין דורשין בעריות בשלשה ולא במעשה בראשית בשנים: Hag. 2.1⁵⁶¹
ולא במרכבה ביחיד אלא אם כן היה חכם ומבין מדעתו: The forbidden
decrees [Lev 18.6 ff.] may not be expounded before three persons, nor the
story of creation before two [Gen 1.1-2, 3], nor [the chapter of] the Chariot

⁵⁶⁰ Instone-Brewer, *Traditions*, 2:167.

⁵⁶¹ This verse follows the famous *mishnah* Hag 1.8, which treats the scriptural support for various laws, the laws on the dissolution of vows to rest on air as they have no support, the Sabbath laws hang like a mountain by a hair as they have many laws but little support, while the laws on Levitical purity, and forbidden relationships have strong foundations as they are essential to Torah. The Ḥagigah tractate is very aware of the importance of scriptural support for its teaching.

[Ezek 1.4ff.] before one alone unless he is a sage that understands of his own knowledge.

In this *mishnah*, limits are placed upon the exposition or expounding of certain passages of Scripture, deemed to be too dangerous to allow free reign of interpretation. The passages are related to mystical and apocalyptic interpretations of passages in Gen 1 and the chariot (Merkabah) text in Ezek 1. The forbidden decrees refers to the relationships which are forbidden according to Lev 18.6ff. This *mishnah* is an attempt to avoid people becoming too familiar with dangerous theological passages. Teachers considered that exposition and meditation on the first chapters of Ezekiel and Genesis were matters of considerable importance and no little danger.⁵⁶² The content of these passages was potentially more precarious than other parts of Scripture because they offered the basis for further reflection on the nature of the universe and God beyond what was actually written; in other words, the passages were ripe for interpretation. This does not mean that the rabbis refused to embark upon speculative interpretation of these passages, indeed the opposite was more likely; but it recognised the dangers that lay within and the necessity for solid exposition based on strong principles. This *mishnah* is also a clarion call in support of biblical exposition, and as a consequence against visions and apocalyptic experiences. The passage recognises the dangers of such interpretation, but at the heart of rabbinic exercise what lies in Scripture must be more fruitful than the dangers of visions.

In the Tosefta parallel, Mandel argues that his legal-instructional model of midrash allows the phrase to be understood in a new light, so that t. Hag. 2.1 נִסְתָּר מִקְיָם indicates someone who practices what he preaches. While such an

⁵⁶² See Rowland, *Open*, 277.

interpretation is reasonable for the Tosefta, the context of the passage strongly suggests that ‘expound’ is a better translation of שׁוֹרֵר, especially as it is used in that context no less than five times in the same passage.⁵⁶³ The Tosefta passage narrates a debate between R. Yohanan ben Zakkai and R. Eleazar ben Arakh, wherein Eleazar outlines his interpretation of the chariot passage from Ezekiel. While such an interpretation could be in a public setting, a better reading of the passage is that the conversation takes place between the rabbis in question and that the best translation of שׁוֹרֵר is ‘expounds’ or ‘interprets’. The Tosefta can inform a reading of the Mishnah passage, where the sense is very similar. M. Hag 2.1 offers very precise rules concerning the exposition of three scriptural passages. Such rules point to a period when interest in these passages had developed into a cause for concern.⁵⁶⁴ While these biblical passages are not for general consumption, room remains for the diligent sage to interpret with a degree of freedom. Apocalypticism is concerned with ‘what is above, what is below, what was beforehand, and what is to come’ (m. Hag. 2.1), all important issues for the rabbis of the time. The quest for secret matters was something which the rabbis came up against in their study of the Scriptures. The Mishnah, however, offers very little support for this view. Azzan Yadin argues that it is possible that m. Hag. 2.1 is not concerned with mystical speculation at all, but even if it is, restricting the prohibitions to the first chapters of Gen and Ezek indicates that the rest

⁵⁶³ See Mandel, ‘Origins,’ 29; Mandel, *Origins*, 223. The distinction between preaching and exposition may also be slight. Preaching may be the fruit of exposition, or the public explanation of wisdom or insight gained from scriptural exposition. Additionally, given the strong connection between public proclamation and שׁוֹרֵר, there is a naturally close relationship between the two English terms and שׁוֹרֵר. Bacher cites m. Hag 2.1 as an example of שׁוֹרֵר as non-scriptural exposition (Wilhelm Bacher, *Die Exegetische Terminologie der jüdischen Traditionsliteratur: Die Bibel- und Traditionsexegetische Terminologie der Amoräer*; 2 vols. [Leipzig: J. C. Hinrichs, 1905], 1:26-27); see also Gertner, ‘Terms,’ 7.

⁵⁶⁴ Rowland, *Open*, 306. While the mishnaic passage suggests these passages provoked concern in the earlier centuries CE, the same argument can be made for the last centuries BCE based on my reading of Ben S 3.21-24.

of the Bible is *not* hidden and mysterious.⁵⁶⁵ While the apocalyptic or mystical elements of the passages cannot be ascertained, the passages themselves were certainly considered off limits for the unqualified.

The concern of the rabbis is similar to that expressed by Ben Sira 3.21-24, that students (or members of the public) should not meddle in concerns that were too difficult for them or beyond them; perhaps also that they do not be attracted by the arguments of mystics and apocalyptics, but follow the exposition of the rabbis from the *bate midrashim*. Against Mandel, I maintain that the passage refers to interpretation or exposition of the biblical passages in question, a view that is supported by other occurrences of דרש in the Mishnah, where the object of the verb is a biblical verse.

Yebah. 10.3: אתדון מדרש דרש רבי אליעזר בן מתיה ואישה גרושה
מדרש (מדרש) ולא מאיש שאינו אישה: This explanation (מדרש) did R. Eleazar
ben Mattia expound (דרש): [It is written] ‘Neither shall they take a woman
put away from her husband’ [Lev 21.7⁵⁶⁶]; and not ‘from a man that is not [yet
fully] her husband.’

In this passage, which contains both דרש and מדרש, R. Eliezer ben Mattia decides the matter of whether a woman who thought her husband was dead and became betrothed to another, on finding her husband was alive, but having received a bill of divorce, would be free to marry a priest. The decision is made with reference to Lev 21.7 ‘neither shall they put a woman away from her husband’. This *mishnah* is an

⁵⁶⁵ Azzan Yadin, *Scripture and Tradition: Rabbi Akiva and the Triumph of Midrash* (Philadelphia: University of Pennsylvania Press, 2014), 172.

⁵⁶⁶ A כהן may not marry a divorced woman.

example of a biblical passage being employed in support of a decision. The exposition (מדרש) is the initial object of דרש, and again the scriptural passage in view is a verse from the Torah. It is possible to conclude therefore that the object of דרש is a scriptural verse.

Ketub. 4.6: This explanation did R. Eleazar ben Azariah expound before the sages in the vineyard at Jabneh (זח מדרש דרש רבי אלעזר בן אזריה). (לפני חכמים בכרם ביבנה). ‘The sons inherit and the daughters receive maintenance’ [m. Ketub. 13.3] – but like as the sons inherit only after the death of their father so the daughters receive maintenance only after the death of their father.’

In this passage, the combination of מדרש and דרש is present, however, unlike the previous passage (m. Yebam. 10.3), it is not a scriptural text which is the object of דרש, rather a text from m. Ketub. 13.3. This rule seems to act as the introduction to the text of m. Ketub. 4.6ff., which discusses the interpretation of the marriage contract.⁵⁶⁷ The use of דרש in this context leads the Tosefta to cite many further examples of how sages produced an exegesis not of Scripture but of ordinary legal documents.⁵⁶⁸ For example, in t. Ketub. 4.9, Hillel the elder made an exegesis (דרש) of ordinary language [of legal documents and not merely the Torah text]. It is as if the sages recognise that the pattern of דרש referring to the interpretation of Scripture has been broken and requires justification. It is interesting that the anomaly was not explained with reference to the theory of two Torahs (written and oral, see m. ’Abot

⁵⁶⁷ Jacob Neusner, *A History of the Mishnaic Law of Women: Part 2 Ketuboth: Translation and Explanation* (Leiden: Brill, 1980), 45.

⁵⁶⁸ Maccoby, *Early*, 25.

1.1) which would allow the oral Torah to be an object of exposition in the same way as written Scripture. For the purposes of the present study the sense of **דרש** remains that of exposition, though here it refers to another verse of the Mishnah tractate Ketubboth and not a biblical verse.

Ned. 4.3: **ומלמדו מדרש הלכות והגדות אבל לא ילמדנו מקרא**: He may teach him Midrash, *Halakoth* and *Haggadoth*, but he may not teach him Scripture.

This passage contains one of the seven occurrences of **מדרש** in the Mishnah. The context of the *mishnah* is that of a man under a vow to his neighbour. In such a situation he may teach him midrash, halakoth, and haggadoth, but he may not teach Scripture. The reason for the dispensation to teach the son and daughter is that there is no payment for midrash, halakah, or haggadah, while teaching Scripture is an activity for which payment would be due.⁵⁶⁹ From the context, there is a distinction to be made between midrash, halakah, and haggadah, as well as between midrash and Scripture. Teaching Scripture may refer to teaching the basics of Scripture and its content, while midrash would be the exposition of or interpretation of Scripture. Halakah is an accepted decision in rabbinic law, which is usually, but not always, derivable from Scripture.⁵⁷⁰ Haggadah is a type of exposition of Scripture which aims at education, and can be found in some tractates as a conclusion (see Pe'ah, Yoma); it is quite prominent in the tractate 'Abot. While it is difficult without further information to make a distinction between midrash, halakah and haggadah, all three are distinguished from the teaching of Scripture, suggesting an interpretative

⁵⁶⁹ Jacob Neusner, *A History of the Mishnaic Law of Women: Part 3 Nedarim, Nazir: Translation and Explanation* (Leiden: Brill, 1980), 38.

⁵⁷⁰ Danby, *Mishnah*, 794. The Mishnah is mostly halakhic in form.

dimension.⁵⁷¹ This being the case, it is reasonable to conclude that מדרש in this instance refers to the interpretation of Scripture.

Soṭah 5.1: As the water puts her to the proof so does it put the paramour to the proof, for it is written, ‘and it shall come,’ and again ‘and it shall come’ [Num 5.22, 24]. As she is forbidden to the husband so she is forbidden to the paramour, for it is written, ‘and she is become unclean’ and again ‘and she is become unclean’ [Num 5.13, 14]. So R. Akiba. R. Joshua said: so used Zechariah b. ha-Kazzab to expound (בך היה דורש זכריה בן הקצב). Rabbi says: twice in this section of Scripture it is written ‘and she is become unclean’, ‘and she is become unclean’, once for the husband and once for the paramour.

M. Soṭah 5.1 holds that the bitter water tests proposed by Num 5.11-31 will have consequences both for the accused wife and the man said to be her lover, so that he will die by the same sort of death.⁵⁷² The *mishnah* continues by saying that just as she is forbidden to her husband during this time so she is forbidden to her paramour. An exegesis credited to Akiba proves this proposition. The same exegesis was supported by R. Joshua and attributed to Zechariah b. ha-Kazzab. Thus, the object of דרש in this *mishnah* is Num 5.13, 14. The important point is that at some time in Tannaitic period, a concern was expressed that law passed on without explicit scriptural authority might fail to stand the test of time. According to Jay Harris, some large or

⁵⁷¹ In Pirke Avot 1.6, the distinction between Scripture, midrash, halakah and haggadah is laid out more clearly. Scripture is distinguished from its interpretation (Midrash), laws (Halakah), and narrative (Haggadah) – see also Sifre to Deut 32.2, which states that all the words of Torah are one, though they comprise Mikra (Scripture), and Mishnah (teaching): midrash, halakah and haggadah; they are all one because they have their origins in a single divine source (Sifre Deuteronomy 306, at 339 [Louis Finkelstein ed., 1939].).

⁵⁷² Jacob Neusner, *A History of the Mishnaic Law of Women: Part 4, Soṭah, Gittin, Qiddushin: Translation and Explanation* (Leiden: Brill, 1980), 49.

small segment of rabbis developed a concern that an unjustified law would not seem compelling to future generations.⁵⁷³ While in the broader context of the Mishnah as a whole may support Harris's theory, in m. Soṭah 5 the passages of Scripture are integral to the passage; indeed, without them, the passage would not make sense. While one could argue that the final addition came at the editorial hand of Rabbi, this cannot take away from the fact that the interpretation of Num 5 is key to the *mishnah* as a whole.

The passage concludes with Rabbi saying (אמר) 'twice in this section of Scripture it is written "and she is become unclean", "and she is become unclean", once for the husband and once for the paramour' in support of the original exposition of Zechariah, another example of דרש and אמר appearing together in the one *mishnah*. This distinction between the two terms is important, suggesting once more that the activity indicated by the use of דרש differs from a simple reading. In this particular *mishnah*, the distinction it is difficult to pinpoint. The exposition which R. Joshua attributes to Zechariah b. ha-Kazzab must pertain to Num 5.13, 14, which he interprets, due to the double occurrence of the phrase 'and she is defiled,' to mean that the woman is forbidden both to the husband and to the paramour. Zechariah b. ha-Kazzab expounds the text from Numbers to arrive at this conclusion. The exposition is then repeated by Rabbi, introduced by 'Rabbi says', perhaps offering his approval of ben Kazzab's interpretation. The four *mishnayoth* which follow offer a strong support for the conclusion that דרש is used here in the sense of 'to interpret'.

⁵⁷³ Jay M. Harris, 'Midrash Halachah,' in *The Late Roman-Rabbinic Period*; vol. 4 of *Cambridge History of Judaism*, ed. by Katz, 336-68, (341).

The next four passages can be taken together as they follow a similar theme, indeed Neusner declares m. Soṭah 5.2-5 to be an unnecessary appendix.⁵⁷⁴ M. Soṭah 5.2-4 presents a triplet of exegeses attributed to Akiba on diverse subjects, connected by the introductory phrase, ‘On that day R. Akiba expounded.’ M. Soṭah 5.5 presents an exposition of R. Joshua ben Hyrcanus following the same formula.

Soṭah 5.2: That same day R. Akiba expounded (בו ביום דרש רבי עקיבא):

‘And every earthen vessel where-into any of them falleth, whatsoever is in it conveys uncleanness’⁵⁷⁵ [Lev 11.33];

Soṭah 5.3: That same day R. Akiba expounded (בו ביום דרש רבי עקיבא):

‘And ye shall measure without the city, for the east side two thousand cubits’ [Num 35.5], while another [verse – Num 35.4] says, ‘From the wall of the city and outward a thousand cubits round about.’

Soṭah 5.4: That same day R. Akiba expounded (בו ביום דרש רבי עקיבא):

‘Then sang Moses and the children of Israel this song unto the Lord and spake saying’ [Exod 15.1].

Soṭah 5.5: That same day R. Joshua ben Hyrkanos expounded (בו ביום):

Job served the Holy One, blessed be he, only from love, as it is written, ‘Though he slay me yet I will wait for him’ [Job 13.15]. Thus far the matter rests in doubt [whether it means] ‘I will wait for him’ or ‘I will not wait’; but Scripture says ‘Till I die I will not put away my integrity from me,’ teaching that he acted from love. R. Joshua said, ‘Who

⁵⁷⁴ Jacob Neusner, *Soṭah*, 49.

⁵⁷⁵ The mishnah text is implying a pointing different (*piel*) from that in the present MT (*qal*), which is rendered ‘shall be unclean’.

will uncover the dust from thine eyes, O Rabban Jochanan ben Zakkai, for thou didst use to expound all thy days that Job served the Holy One, blessed be he, only from fear, (שהיית דורש כל-ימך שלא עבד איוב את-המקום) (אלא מיראה) for it is written “The man was not perfect and upright and the one that feared God and eschewed evil” (Job 1.1); and has not Joshua, thy disciple’s disciple, now taught us that he acted from love?

These four verses are the clearest indication of דרש being used in the sense of textual interpretation in the Mishnah. There is little to link the verses thematically, with the formula ‘that same day X expounded,’ the means of connecting each *mishnah* to its predecessor. In the first three examples, the verses which are the subject of exposition come from Torah, while in m. Soṭah 5.5, in which דרש occurs twice, verses from the book of Job are interpreted. Based on the way in which דרש is used in the *mishnayoth* which follow, it is reasonable to conclude that when דרש is found in m. Soṭah 5.1, the interpretation of Scripture is intended.

Soṭah 9.15: When R. Meir died, there were no more makers of parables. When Ben Azzai died, there were no more diligent students. When Ben Zoma died, there were no more expounders (משמת בן זומא במלו הדרשנים).

M. Soṭah 9.15 marks the passage of various skills/attributes from the world with the passing of various rabbis. Ben Zoma is, according to this *mishnah*, the last of the expounders (דרשנים). Whilst not ordained, Ben Zoma was highly regarded (San 17b), and is occasionally called ‘rabbi’ (Ber 6b). It was said that whoever saw Ben

Zoma in a dream could expect an increase in wisdom (Ber 57b).⁵⁷⁶ W. M. Christie argues that Soṭah 9.15 states of Ben Zoma that there was none more studious.⁵⁷⁷ Yet this interpretation does not respect the context of the passage, which speaks of the last of the makers of parables (R. Meir), the last of the diligent students (Ben Azzai), the end of the glory of the law (R. Akiba) and the end of good deeds (R. Hanina b. Dosa). It does not follow that both Ben Azzai and Ben Zoma would be given the same accolade, using different language. Moreover, *darshanim* was to become the standard designation of an expounder of the biblical text. This, coupled with the evidence of the earlier passages in Soṭah 5, indicates that Ben Zoma was the last of the expounders of Scripture.

Citation of scriptural verses is much more frequent in tractate Soṭah, whose style is also much less halakic than the others.⁵⁷⁸ The five verses which open chapter 5 show its importance within the text. Within Soṭah, it is clear that the verb דרש refers to the interpretation or exposition of Scripture, which makes ‘When Ben Zoma died there were no more expounders’ the most reliable reading of Soṭah 9.15.

B. Meṣ. 2.7: עד דרוש אחיך אותו עד שתדרוש את־אחיך אם רמאי
 עד דרוש אחיך אותו עד שתדרוש את־אחיך אם רמאי: ‘until thy brother inquires (דרוש) after it’ [Deut 22.2],
 [which is to say] until thou shalt inquire (שתדרוש) of thy brother whether he
 is a deceiver or not a deceiver.

⁵⁷⁶ T. Hag 2.6 illustrates that Ben Zoma was interpreting one of the texts which is forbidden according to M. Hag 2.1 (the text of Gen 1), provoking R. Joshua to conclude that he is on the outside, having passed beyond the limit of permitted research.

⁵⁷⁷ William M. Christie, ‘The Jamnia Period of Jewish History,’ *JTS* 26 (1925): 347-364, (349).

⁵⁷⁸ Stemberger, ‘From,’ 197.

In this verse, the first occurrence of דרש is a citation from Deut 22.2, ‘until your brother seeks it’, the ‘it’ being a reference to an ox or a sheep. In the second occurrence, the brother is the object of דרש, which carries the sense of a search or investigation of a person to ascertain his honesty or otherwise. It is clear that a scriptural verse is not the object of דרש in this *mishnah*. In the DSS, a person can be an object of דרש.⁵⁷⁹

Sanh. 4.1: אחד דיני ממונות ואחד דיני נפשות בדרישה ובחקירה: Non-capital and capital cases are alike in examination and inquiry.

Sanh. 4.5: או שמא אי אתם יודעין שסופינו לבדוק אתכם בדרישה ובחקירה: Or perchance ye do not know that we shall prove you by examination and inquiry.

Taking both verses from Sanhedrin 4 together, as they concern the enquiry required before non-capital and capital cases, the Mishnah concludes that there is to be no distinction between the two. The object of דרש in these verses is not Scripture, but a person, an inquiry which takes place in a legal setting and refers to the examination of a witness. The study of the DSS noted a similar usage of דרש, though in those instances the reason for the inquiry is to discern worthiness to join, or be readmitted to full membership, of the community.

Sanh. 11.2: They betook themselves to the court that was at the gate of the Temple Court, and the one would say ‘Thus I have expounded, and in that matter my fellows have expounded (בכך דרשתי וכך דרשו חבירי)”; in this

⁵⁷⁹ See 1 QS 5.20; 6.14.

way have I taught and thus have my fellows taught.’ If they [in the Beth Din] had heard a tradition they told it to them, otherwise they took themselves to the court at the gate of the Temple Mount, and the one would say, ‘Thus I have expounded, and in that matter my fellows have expounded (בְּכִּי דִרְשֵׁנִי); in this way have I taught and thus have my fellows taught.’

In this passage, דָּרַשׁ does not have an immediate object, so one must decide what sense of the verb best fits the text. Looking at the previous examples from chapter 4 of the Sanhedrin tractate, and at the general sense of this *mishnah*, initially a sense of legal enquiry would seem to be the best fit. Thus, Mandel argues that in this verse there is no relation to textual interpretation.⁵⁸⁰ However, while Mandel argues that both this verse and m. Hag 2.1 are in accord with his thesis, there is a distinction in how דָּרַשׁ is used in these two texts. In tractate Sanhedrin, there is clearly a legal setting, and within that context דָּרַשׁ carries the sense of making or pronouncing a legal judgement. However, the manner of arriving at the judgement is narrated in two ways דָּרַשׁ ‘expounded’ and לָמַד ‘taught’. Consequently, it may be argued that דָּרַשׁ means to investigate or expound a passage or section of Scripture.⁵⁸¹ While Deut 17.8-13 is cited, the proposed exposition, if it is such, is not related to these verses, which set the scene for the difficult case placed before the courts. The question remains as to how one is to interpret the use of דָּרַשׁ in this context. A distinction is made between ‘expounding’ and ‘teaching’, but the text provides no further guidance

⁵⁸⁰ Mandel, *Origins*, 222.

⁵⁸¹ Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 BC – AD 135)*; ed. by Géza Vermès, Fergus Millar and Matthew Black; rev. Eng. ed. (Edinburgh: T & T Clark, 1973-87). Translation of *Geschichte des jüdischen Volkes im Zeitalter Jesu Christ*; 4th ed. 3 vols. (Leipzig: J. C. Hinrichs, 1901-1907). Hanoch Albeck, *The Mishnah*, 6 vols., (Jerusalem: Bialik, 1958-1959) follows the same line of argument.

as to what precisely these terms signify. Taking the context of the Mishnah as a whole, the evidence indicates that the exposition which led to the judgement came from a scriptural text (in twenty-three of the other twenty-seven occurrences in the Mishnah where דרש refers to the exposition of a text, all but one a reference a scriptural text).⁵⁸² However, the context of the Sanhedrin tractate as a whole suggests that it is more likely that here דרש relates to a legal judgement, with the two occurrences in chapter 4 referring to legal investigation of a case (4.1), or witness (4.5).⁵⁸³ Weighing all the evidence, especially the evidence of the current passage, which refers to both interpretation and teaching, the most likely sense of דרש in m. Sanh. 11.2 is that of exposition of Scripture, from which the judgement receives its scriptural support. This exposition leads to a decision which is then promoted by teaching of the sages to the general populace.

’Abot 1.17: I have found naught better for a man as silence, and not the expounding [of the Law] is the chief thing but the doing [of it] (ולא המדרש).
(הוא העיקר ולא המעשה).

This verse highlights the importance of action over study – it is better to do the law than to expound it, or, doing is better than studying.⁵⁸⁴ Maccoby argues that the verse is an indictment of the sages’ engagement in the activity of midrash, or the activity of the Beth Midrash, in that it is not study, but actually doing the law which is the main thing.⁵⁸⁵ Mandel argues, however, that this verse deals not with the study of law, but

⁵⁸² This translation is favoured by Danby, who argues that דרש relates to the scriptural principle on which the judgement turns (*Mishnah*, 399).

⁵⁸³ Such an interpretation is favoured by Mandel.

⁵⁸⁴ Jacob Neusner, *A History of the Mishnaic Law of Damages: Part 4, Shebuot, Eduyot, Abodah Zarah, Abot, Horayot: Translation and Explanation* (Leiden: Brill, 1985), 208.

⁵⁸⁵ Maccoby, *Early*, 25.

its instruction, this being an activity which characterises the *hakham*, and as a consequence, the statement is an indictment of the verbosity of the *hakhamim*.⁵⁸⁶ Mandel's argument follows his overall thesis that דרש in the Mishnah carries the sense of legal instruction. As there are no further occurrences of דרש or indeed מדרש in the tractate 'Abot, there is no further information than that which is outlined above in order to best decide the sense in the current *mishnah*. Indeed, the *mishnah* itself is not primarily interested in this activity (מדרש) but in the doing of the law. Given the overall tenor of the tractate, the best fit is biblical exposition, as instruction in matters of the law would better aid the doing of it, while the exposition or study of the law could bring one away from the actual doing and lead to a focus on arguments of a trivial nature which take away from the doing of the law. Thus, the best translation of מדרש is the sense of textual interpretation or study, in line with other occurrences in the Mishnah.

Hul. 5.5: The 'one day' spoken of in the law of 'It and its young' means the day together with the night that went before. This was expounded by R. Simeon b. Zoma (את־זו דרש שמעון בן זומא).

This chapter treats the law relating to 'it and its young' (Lev 22.28), which must not be killed on the one day. In m. Hul 5.5, R. Simeon b. Yoma, expounds (דרש) from Gen 1.5 'one day', to state that the law relates to the day and the preceding night. The connection is made by *gezerah shawah*, with the phrase יום אחד appearing in both verses. It is clear that דרש carries the sense of textual interpretation, even using one

⁵⁸⁶ Mandel, 'Origins,' 29.

of the rules of rabbinic exegesis.⁵⁸⁷ One can safely conclude that דרש is used in the sense of scriptural exposition, Gen 1.5 being the object of interpretation.

5.4.2 The meaning of דרש

Analysis of דרש in the Mishnah has demonstrated that the verb is used most frequently with the sense of ‘to interpret Scripture’ (twenty-three of twenty-seven occurrences). On four occasions, דרש is used in the context of a legal setting (m. B. Meṣ. 2.7 [x2]; m. Sanh. 4.1, 5). The nominal form מדרש occurs seven times, twice in the construct בית מדרש (m. Ter. 11.10; Pesah 4.4), three times meaning exposition of a text (and as the object of דרש) (m. Yebam. 10.3; m. Ketub. 4.6; m. Šeqal. 6.6), and twice with the general sense of exposition (m. Ned. 4.3; m. ’Abot 1.17). The significance of these findings will be discussed in this section, which will argue that, in the majority of instances in the Mishnah, דרש is used with an interpretive sense, before comparing the use of דרש in the Mishnah to its usage in the Tanak, the DSS, and Ben Sira.

The first task is to establish the meaning of דרש, and in particular what type of interpretation may be in view – hidden meanings found by rabbis in the text, or simply using the plain meaning (פשט) to support a legal conclusion. Instone-Brewer argues that during the Tannaitic period, hermeneutical techniques later employed by rabbis had not fully developed, so that דרש simply meant ‘interpretation’ and did not

⁵⁸⁷ *Gezerah shawah* is the second of Rabbi Akiba’s rules.

describe the search for secondary or hidden meanings in the text.⁵⁸⁸ Despite making this claim, Instone-Brewer does recognise the influence of Hellenistic Judaism, and Homeric commentaries, which may have influenced some hermeneutical techniques of the rabbis.⁵⁸⁹ Where **דרש** occurs in the Mishnah, on only one occasion is a rabbinic technique used (m. Hūl. 5.5), meaning that how the rabbis used Scripture to support their arguments is usually not recorded. In another work,⁵⁹⁰ Instone-Brewer argues that, pre-70 CE, **דרש** refers to the hidden meaning of a text, and may mark the distinction between the primary and the secondary or allegorical meaning. The term is, according to Instone-Brewer, of great import in rabbinic exegesis, but almost entirely absent from scribal exegesis. While this meaning of **דרש** may be found in the DSS, the evidence of the Mishnah itself does not support this claim. On occasion verses from Scripture, especially the Torah, are used to support rabbinic decisions, especially in legal cases (see, for example m. Ber. 1.5; Šeqal. 1.4; Yebam. 10.3). The distinction between simple and allegorical interpretation is not always present, but the rabbis do interpret scriptural verses in a new context to support their legal interpretations. Thus, one may conclude that **דרש** is used in the Mishnah to describe interpretation of Scripture in a new context to the biblical setting (though not necessarily allegorical), even on occasion using one of the rules attributed to R. Akiba (m. Hūl. 5.5).

⁵⁸⁸ Instone-Brewer, 'Theology,' 302. However, my study of the Qumran texts has demonstrated that **דרש** did refer to the search for hidden meanings, in addition to the exegesis characteristic of the Pesharim.

⁵⁸⁹ Instone-Brewer makes the claim in 'Theology,' 313 based on Sadducees' taunts that Scripture made hands unclean while books of Homer did not (m. Yad. 4.6).

⁵⁹⁰ David Instone-Brewer, *Techniques and Assumptions in Jewish Exegesis before 70 CE* (Tübingen: Mohr Siebeck, 1992).

Not all scholars understand the use of שרר in the Mishnah in this way. Paul Mandel⁵⁹¹ offers the greatest critique, stating that the origins of the term שרר lie within the purview of the law. Mandel asserts that, having analysed the term in the light of Eastern, Mesopotamian sources, a legal-instructional model, rather than a textual-hermeneutical model provides a better route to understand the origins of the term.⁵⁹² Bringing this to the Mishnah, Mandel notes that the activity denoted by the verb שרר was considered a particularly inventive act of interpretation, grounded in a close reading of the text and alive to the problems generated by such a reading, but also consciously going beyond the usual assumptions of a simple understanding of the text.⁵⁹³ He argues however, that the *safar* (ספר), who can be termed ‘teacher of the Law’ and ‘legal advisor’ (which is also related to the Hebrew term מַחֲקֵק),⁵⁹⁴ is responsible for the oral Torah and enactment of new laws (m. ‘Or. 3.9; Yebam. 2.4; Kelim 13.7), a responsibility which is separated from the importance of the text.⁵⁹⁵ Consequently, their major occupation is not explication of Scripture but exegesis of law. Thus, Mandel questions whether שרר is used in Tannaitic and Amoraic texts with reference to textual interpretation. To this end, he cites a number of examples, where he claims שרר means ‘instruction’ and not the interpretation of a text (m. Yoma 1.6 ; m. Sanh. 11.2 ; Sipre Num 66, 118; Sipre Deut 122; Gen. Rab. 33. 3; Lev. Rab. 5.3; b. Šabb. 38a; b. Pesah. 54b; b. Qidd. 73a).⁵⁹⁶ While not excluding the possibility that שרר could have an interpretative sense in the Mishnah, Mandel seeks

⁵⁹¹ Mandel, *Origins*, and ‘Origins.’

⁵⁹² Mandel, *Origins*, 19, 83-85.

⁵⁹³ Mandel, ‘Origins,’ 11.

⁵⁹⁴ Mandel, *Origins*, 356. The use of *grammateus* as the translation of מַחֲקֵק in Sir 10.4, according to Mandel, demonstrates the semantic equivalence in the eyes of the translator of the terms מַחֲקֵק (Hebrew), *safar* (Aramaic), and *grammateus* (Greek). See also Vermes, *Scripture*, 49-55.

⁵⁹⁵ Mandel, ‘Origins,’ 23.

⁵⁹⁶ Mandel, *Origins*, 222-23; 227-28.

to limit its reach, arguing that Albeck⁵⁹⁷ in his commentary exhibits a tendency to explain the activity of דרש as related to Scripture even when this element was absent. As this study has demonstrated, in the majority of cases the Mishnaic occurrences of דרש do indeed refer to the interpretation of Scripture, which, although not the exclusive sense in the Mishnah, does best explain twenty-three of the twenty-seven occurrences. In making this comparison, Mandel does not take into account, as yet at least, the non-equivalence of terms including דרש. For that reason, I argue, against Mandel, that an interpretative sense reads better than an instructional sense in the majority of instances in the Mishnah, the exceptions being the four occasions when דרש is used with the sense of a legal investigation (m. B. Meṣ. 2.7; Sanh. 4.1, 5).

An alternative argument proposes that דרש carries the meaning of public exposition. Ofra Meir⁵⁹⁸ states that there is no agreement of when דרש first came to be understood as a technical term (for midrashic interpretation). While all commentators can agree that there was a semantic development from a biblical root, and that in rabbinic literature it had taken on the sense of a technical term, the precise moment when this ‘change’ occurred remains elusive.⁵⁹⁹ By the time of the Babylonian Talmud, דרש had acquired two extended meanings, the dichotomy between פשט and דרש had been created, and דרש stood for all a *darshan* said (in public).⁶⁰⁰ Meir argues that the phrase ‘Rabbi X *darash*’ relates in half the instances in Tannaitic occurrences not only to the interpretation of a biblical text, but also to its

⁵⁹⁷ Albeck, *Mishnah*.

⁵⁹⁸ Ofra. Meir, ‘The Meaning of “*Darash* Rabbi X” in Rabbinic Midrashim,’ *Dappim: Research in Literature* 3 (1986): 209-18.

⁵⁹⁹ This study argues that there is no precise moment of change, it was more gradual.

⁶⁰⁰ Yitzhak Heinemann, ‘On the Development of Technical Terms for Biblical Interpretation,’ [Hebrew], *Leshonenu* 14 (1946): 182-189, (188).

public proclamation.⁶⁰¹ By the time of the Amoraic midrashim, this meaning has developed, so that ‘*darash* Rabbi X’ is a signifier for reciting in public rather than for the procedure of interpreting a biblical text. This meaning does not appear to apply to the Mishnah. Where the setting for rabbinic exposition was the Beth Midrash, the inferred audience would be other rabbis, which stands in contrast to public exposition. The majority of the occurrences of דרש in the Mishnah are in private settings, especially where the term means the interpretation of Scripture, so any development to mean public exposition must have come later.

The Mishnah remains a key document in tracking the semantic change of the term דרש. While the usage of דרש in a legal context on four occasions indicates that a full semantic shift had not taken place, there is strong evidence that the term had taken on the meaning of the interpretation of Scripture, notably in the sense of supporting a rabbinic legal decision, accounting for twenty-two⁶⁰² of the twenty-seven occurrences of דרש.

It is possible to conclude that דרש in the Mishnah carries a sense of exposition of or interpretation of Scripture, though it is not used exclusively with this sense. When ‘דרש Rabbi X’ occurs, the interpretation of a verse or section of Scripture is in view.⁶⁰³ Given that on the majority of occasions where דרש occurs it is this sense which is intended, I would argue that where two interpretations of the meaning of the term are possible, unless strong evidence indicates otherwise, the interpretation of Scripture is the more likely meaning. Interpretation means supporting

⁶⁰¹ Meir, ‘Meaning.’

⁶⁰² Excepting m. Ket 4.6, the interpretation of another mishnah. The figure twenty-two includes all occurrences where דרש means the interpretation of Scripture. On eleven occasions Scripture supports a legal decision.

⁶⁰³ For example, m. Ber. 1.5 on Deut 16.3; m. Šeqal 1.4 on Lev 6.17; m. Yoma 8.9 on Lev 16.30; and m. Hag 2.1 on Lev 18.6, Gen 1 and Ezek 1.

legal interpretation with scriptural verses, often taken out of their original context. This follows both Ben Sira and the DSS, with one possible sense of דרש being scriptural interpretation. By the time of the Mishnah (c. 200 CE), it is possible to say that דרש principally means the interpretation of Scripture, though other meanings are not excluded.

5.5 Conclusions on the use of דרש in the Mishnah

Having examined the use of דרש in the Mishnah, the most frequent sense is that of (scriptural) exposition or interpretation – twenty-three of the twenty-seven occurrences. For that reason, when the sense is unclear, and may refer to scriptural interpretation (such as m. Sanh 11.2), the burden of proof falls on the one who wishes to prove otherwise. This is not to say that the meaning of דרש was limited to textual interpretation. דרש can still have a legal sense and on four occasions it is used in precisely this sense in the Mishnah.⁶⁰⁴ However, the biblical sense of simple searching is now absent from the meanings of דרש.

That the term דרש is used principally in the sense of textual interpretation and exposition is important. It is also noteworthy that although scriptural citations are rare in the Mishnah as a whole,⁶⁰⁵ the vast majority of verses where דרש occurs include a scriptural citation, the majority from the Torah.⁶⁰⁶ Therefore, one can expect that where דרש is used, the interpretation of Scripture is in view, with the exception of

⁶⁰⁴ M. B. Mes. 2.7 [x2]; m. Sanh. 4.1, 5.

⁶⁰⁵ Stemmerger, 'From,' 196; Neusner, *Judaism*, 217; David Kraemer, 'Scriptural Interpretation in the Mishnah,' in *Hebrew Bible*, ed. by Sæbø, 1:278-84, (279).

⁶⁰⁶ Twelve of the fifteen references to specific biblical verses are from Torah.

legal cases, where it carries the sense of investigation. דרש is no longer used of the search for God, the most prevalent sense in the Tanak. While it may at this point be stretching the case too far to state that the search for the will of God was confined to the exposition of Scripture, there is a strong suggestion in the mishnaic text that the will of God is to be found in Torah. Furthermore, the interesting usage in m. Ketub. 4.6, which offers a text from the Ketubbah scroll as the object of דרש, indicates that the oral Torah had already come to be seen as an appropriate object of rabbinic searching. While the sense of דרש is not yet strictly limited to the exposition of Scripture, in the vast majority of occurrences in the Mishnah, דרש refers to the interpretation of Scripture.

In the context of this dissertation as a whole, by the time of the Mishnah, in the majority of occurrences דרש carries the sense of textual interpretation. Looking at the overall trend, it is possible in one sense to conclude that the sense of דרש has undergone a semantic change, from the core meaning of ‘to search,’ which was present in the Tanak in the vast majority of occurrences. While the DSS and Ben Sira demonstrate that the term had widened to include texts as valid objects of דרש, the basic meaning ‘to search,’ could still be largely applied to דרש. This examination of the Mishnah has demonstrated that the term דרש has come to be ever more closely related to the interpretation of Scripture and taken on a large part of the sense which it has in the later midrashim. In *mishnayot* such as m. Yoma 8.9, there is a clear distinction with the verb סמך, which means reading in contrast with interpretation (דרש), and in m. Ketub 4.6, the text of another *mishnah*, is a valid object of דרש.

While this study was limited to examination of the Mishnah, in the future the use of דרש and מדרש could be traced into the Tosefta, which might be particularly interesting, as the Tosefta often adds scriptural proofs to the Mishnah. This chapter has demonstrated that the Mishnah is a key document in tracking the semantic change in the use of דרש. In the Amoraic period, as Ofra Meir has for example convincingly argued, there is a clear sense that the phrase ‘*darash* Rabbi X’ signifies the public proclamation of a *darshan*. However, this is not the sense of the term in the Mishnah, where its main sense is the interpretation of Scripture.

In this study, the next step will be to examine how דרש is translated in the LXX, and to examine the activity of ζήτησις.

6 The Translation of פֿרשׁ in the LXX, and Homeric zētēsis

The previous chapters have examined the use of פֿרשׁ and פֿרשׁ in the Tanak, DSS, Ben Sira and the Mishnah, concluding that a semantic change had occurred by the time of the Mishnah, with the primary sense of פֿרשׁ in the first great text of rabbinic literature being interpretation of Scripture. These chapters have sought to address one of the concerns about bringing texts of rabbinic literature into conversation with NT texts, namely, the later date of rabbinic texts. The second challenge relates to the issue of language, with the NT being written in Koine Greek, and rabbinic literature in Hebrew/Aramaic. This chapter seeks to address that issue, and to demonstrate the importance of Hellenistic literature, especially the genre of zētēsis, for the study of midrash and the NT.

This chapter will examine how פֿרשׁ was translated into Greek, with a particular focus on ζητέω and ἐκζητέω. Secondly, it will survey the genre of zētēsis, its origins in Homeric criticism and exegesis, and note parallels between this activity in the Hellenistic world, and biblical exegesis in the Jewish world. This examination will begin with the earliest critics of the Homeric text, and those who answered these critiques, notably Aristotle, before examining how some Jewish exegetes employed the genre of questions and answers (ζήτησις καὶ λύσεις) in their biblical interpretation, namely Demetrius the Chronographer and Philo of Alexandria. The chapter aims to demonstrate the importance of the genre of zētēsis for those interested in midrash and the NT. The genre was widespread in the Hellenistic world and allowed for exploration, criticism and exegesis of a text, for philosophical questioning, and for legal procedures. As the works of Demetrius and Philo

demonstrate, *zētēsis* was known in the Jewish world, and it is apt to consider how the genre may have influenced NT writers.⁶⁰⁷

It has been argued convincingly that roots of rabbinic literature can be found in the Hellenistic world – for example in contemporary readings of Homer and other Greek classics.⁶⁰⁸ Parallels between the genres of *zētēsis* and midrash have also been outlined by David Daube and Saul Lieberman.⁶⁰⁹ While one must be cautious not to read too much into such parallels, there is room for fruitful comparisons, even if such a comparison is not easy.⁶¹⁰ The tradition of Hellenism in late antiquity was exegetical and text-based, with a focus on re-use and re-adaptation of classical texts. Exegesis was not only important in the world of literature, but also in philosophy, law, and sciences such as medicine and engineering. The closest of these forms to the rabbinic exegesis were the disciplines of philosophy and law. In this chapter, focus falls on how defenders of Homer used the genre of *ζήτησις καὶ λύσεις* in their exegesis of Homeric poems.⁶¹¹

As Martin Hengel has noted, it is no longer a question whether there was Hellenism in Jewish Palestine, but rather the extent and meaning of Greco-Roman

⁶⁰⁷ Moreover, legal terms and concepts may already have undergone a shift in the translation from Hebrew to Greek, and had an impact on Jewish writings in Greek treating legal issues – another reason it is useful to examine how *שֵׁנִי* was translated in the LXX (see Doering, ‘Parallels,’ 27).

⁶⁰⁸ Maren R. Niehoff, *Jewish Exegesis and Homeric Scholarship in Alexandria* (Cambridge: University Press, 2011); David Kraemer, ‘Local,’ 276-77.

⁶⁰⁹ Daube, ‘Rabbinic,’ *New Testament; Rabbinic*; Lieberman, *Hellenism*.

⁶¹⁰ As Philip S. Alexander, “Homer the Prophet of All” and “Moses our Teacher”: Late Antique Exegesis of the Homeric Epics and the Torah of Moses,’ in *The Use of Sacred Books in the Ancient World* ed. by Leonard V. Rutgers, Pieter W. van der Horst, Henriette W. Havelaar, and Lieve Teugels; CBET 22 (Leuven: Peeters, 1998), 127-42, (128) notes, the Greek literature has not been subjected to the same precise analysis as rabbinic literature.

⁶¹¹ Homer is the ideal place to conduct such analysis as Homer was the most important work in the Hellenistic canon (see Alexander, ‘Homer’). For the centrality of Homer, see Félix Buffière, *Les Mythes d’Homère et la pensée grecque* (Paris: Les belles Lettres, 1956), 9, who argues that Homer is the Greek Bible (see also, Heraclitus, *Homeric Problems*). Greek writers make constant appeals to Homer, as Christian writers to sacred Scripture (11). Rajak, *Translation*, 241, notes that Homer is often spoken of as the bible of the Greeks, in the sense that Homeric poems were the basis of education, of much imaginative creation, even occasionally of decisions between states.

influences.⁶¹² It is important to examine how the scholarly, and indeed legal, climate, had an influence on the writings of Jewish Hellenism and the NT.⁶¹³ Jewish and Hellenistic cultures blended not only on the level of ideas, but also on the level of literary composition. While these parallels have been noted, the influence of *zētēsis* on rabbinic exegesis, and on NT authors, has been overlooked.

At the centre of Judaism stood a single document, Torah, which was available to all and which determines the character of ancient Judaism.⁶¹⁴ Philo sought to defend/promote the Torah in his works, and the Torah forms the basis for the works of Demetrius. Homer's poems occupied a similar (though not identical) role in Greek culture, holding a position as unchallenged cultural authority. The importance of the Homeric text in the Hellenistic world means it is plausible LXX translators could frame their task in terms of the techniques which the Alexandrian grammarians developed for the editing of Homer.⁶¹⁵ Like the Bible, Homer could be viewed as history, and claimed as the source of all knowledge and wisdom.⁶¹⁶ This may inform the tradition of allegorical interpretation in Jewish Hellenistic culture, which finds its

⁶¹² Martin Hengel, *Judaism*. See also, Burton L. Visotzky, 'Midrash, Christian Exegesis, and Hellenistic Hermeneutic,' in *Current Trends*, ed. by Bakhos, 111-31, (118). Significant recent work in this area consolidates and assesses progress on the question; rabbinic Judaism was assumed to have been thoroughly Hellenised (e.g. Alexander, 'Quid'; *Hellenism in the Land of Israel*, ed. by John J. Collins and Gregory E. Sterling; CJA 13 (Notre Dame, ID: University of Notre Dame Press, 2001); 'Introduction' to *Jewish Life and Thought among the Greeks and Romans: Primary Readings*, ed. by Louis H. Feldman and Meyer Reinhold (Edinburgh: T & T Clark, 1996); Erich S. Gruen, *Heritage and Hellenism: The Reinvention of Jewish Tradition*; HCS Society 30 (Berkeley: University of California Press, 1998); Pieter W. van der Horst, *Hellenism, Judaism, Christianity: Essays on their Interaction*; CBET 8 (Kampen: Kok Pharos, 1988); Leonard V. Rutgers, *Jews in Late Ancient Rome: Evidence of Cultural Interaction in the Roman Diaspora*; RGRW 126 (Leiden: Brill, 1995); Carol Bakhos, ed., *Ancient Judaism and Hellenistic Context*; JSJSup 95 (Leiden: Brill, 2005).

⁶¹³ Hengel, 'Judaism,' 9.

⁶¹⁴ Martha Himmelfarb, 'The Torah Between Athens and Jerusalem: Jewish Difference in Antiquity,' in *Ancient Judaism*, ed. by Bakhos, 113-29, (114). Himmelfarb builds on the work of Elias J. Bickerman, *From Ezra to the Maccabees: Foundations of Post-biblical Judaism* (New York: Schocken, 1962), who argued that Jews are strengthened in their encounter with Hellenism because of their faith, their monotheism, and the importance of Torah.

⁶¹⁵ Margalit Finkelberg and Guy G. Stroumsa, 'Introduction,' to *Homer the Bible, and Beyond: Literary and Religious Canons in the Ancient World*; SJSRC 2 (Leiden: Brill, 2003), 5, argue that 'these poems become a universally accepted frame of reference, in fact, the only frame of reference in which the cultural language common to all of those who belonged to ancient Greek civilisation was formed, and therefore an inseparable part of the identity of those who saw this civilisation as their own.'

⁶¹⁶ Rajak, *Translation*, 241.

roots in Homeric interpretation, and was also used in Christian exegesis of the Scriptures. At the time of translation of the LXX, in the translators' Greek educational culture, the almost sacred Homeric texts were being intensively, critically, and reverently studied.⁶¹⁷ The two genres are far from identical, with different goals and foundations. Susan Handelman notes that while in rabbinic literature the word had primacy, this was given to maths in the Greek world.⁶¹⁸ Moreover, the authority of the text differed in the two traditions. For the Greeks, Homer was the important text, but it never attained the all-embracing authority that Torah had for the Jews.⁶¹⁹ Nonetheless, there are similarities which allow for fruitful analogies to be drawn between the two genres.

Firstly, however, the translation of שרר will be analysed, which as commentators have noted, points to parallels with the genre of zētēsis.⁶²⁰

6.1 The translation of שרר in the LXX

This section will examine how the LXX translators chose to render שרר in Greek, with a particular focus on two Greek forms, ζητέω and ἐκζητέω, which translate 114 of the 165 occurrences of שרר in the Tanak. Additionally, I shall look at how ζητέω and ἐκζητέω are used elsewhere in the Greek Old Testament.

⁶¹⁷ Jennifer M. Dines, *The Septuagint* (London: T & T Clark, 2004), 125. Philosophically-minded readers appalled by the gods' behaviour found the answer in allegory, and Philo took a similar allegorical approach to the Torah (Himmelfarb, 'Torah,' 122).

⁶¹⁸ Handelman, *Slayers*, 31.

⁶¹⁹ Lieberman, *Hellenism*, 27 notes that while the Bible was sacred to Jews, Homer was not held in the same regard. Buffière, *Mythes*, 25 notes that Homer was called the divine poet by his passionate defenders the Neoplatonists, who held that his poetry was 'inspired'. Dines, *Septuagint*, also notes that the 'almost sacred' Homeric texts were extensively studied.

⁶²⁰ Alexander, 'Homer', 137; Lieberman, *Hellenism*, 48; Handelman, *Slayers*, 44.

Before beginning the study of the translation of שָׁרָר in the LXX, some terms and guidelines need to be clarified. In examining the LXX, it is necessary to study it on its own terms, as a document written in Greek.⁶²¹ However, to do so without any reference to the original Hebrew text would be to do it a disservice, as, ultimately, the LXX was an exercise in communicating the meaning of the Hebrew text to a new setting.⁶²² Initially, the LXX was subservient to the Hebrew text and was linguistically dependent on it. While this dependence diminished, the LXX was never considered a well-formed text by Greek literary standards, though it later achieved the status of an authoritative text.⁶²³ The LXX is not a unified document, but stems from a turbulent history, albeit one which represents an important self-witness to Greek-speaking Jews.⁶²⁴ Therefore, as each book, or indeed sections within a book, has individual translators, consistency could not be expected over the whole work.⁶²⁵ Moreover, on other occasions the translator chooses different words in Greek to render the same Hebrew term, possibly in order to demonstrate knowledge of Greek.⁶²⁶ As James

⁶²¹ Such a reader-oriented approach was undertaken by Marguerite Harl, Gilles Dorival, Olivier Munnich, *La Bible Grecque des Septante: Du Judaïsme Hellénistique au Christianisme Ancien* (Paris: Editions de Cerf, 1988), in a project which sought to read the LXX as it would have been read by its original audience.

⁶²² As Muraoka, 'Septuagint,' in *Concise Encyclopaedia of Language and Religion*, ed. by John F. A. Sawyer and J. M. Y. Simpson (Oxford: Elsevier, 2001), 136-37, among others, notes, the LXX contains the oldest exegesis of the Bible and the relationship to the Hebrew and translation technique is translator-oriented. In contrast to Harl's reader-oriented approach, where the Greek is read without reference to the Hebrew original, Muraoka takes account of the Hebrew as a source text.

⁶²³ Benjamin G. Wright III, 'Scribes, Translators, and Formation of Authoritative Scripture,' in *In the Footsteps of Sherlock Holmes: Studies in the Biblical Text in Honour of Anneli Aejmæneus*, ed. by Kristin de Troyer, T. Michael Law, and Marketta Liljeström; CBET 72 (Leuven: Peeters, 2014), 1-29, (23); see also, Wright, 'The Letter of Aristeas and the Reception History of the Septuagint,' *BIOSCS* 39 (2006): 47-67.

⁶²⁴ Martin Hengel, *The Septuagint as Christian Scripture: Its Prehistory and the Problem of its Canon* (Edinburgh T & T Clark, 2002), xii.

⁶²⁵ Natalio Fernández-Marcos, *The LXX in Context: Introduction to the Greek Versions of the Bible* (Leiden: Brill, 2000), 22-23. As Roger Good, *The Septuagint's Translation of the Hebrew Verbal System in Chronicles*; VTSup 136 (Leiden: Brill, 2010), 2, 39 notes, in later translations the translators wished to get closer to the source text.

⁶²⁶ Henry Barclay Swete, *The Old Testament in Greek*; rev. by Richard Rusden Ottley (Cambridge: University Press, 1914), 328. See for example, Lev 10.16, where שָׁרָר is translated by both ζῆτέω and ἐκζητέω. Such an approach avoids repetition, and also indicates that the translator (at least of Lev) was not beholden to a dictionary. Emanuel Tov, 'The Septuagint,' in *Mikra*, ed. by Mulder, 161-188, (169), also finds no evidence that the translators possessed word lists or dictionaries.

Barr⁶²⁷ cautions, it is important not to read too much into the histories of individual words. It is necessary to examine words in context, which is a key guiding principle of this dissertation.⁶²⁸ Ultimately, the only source of information is the translation itself.

The translation of the Torah was part of the earliest literary activity of the Greek-speaking diaspora, which gave diaspora Judaism the same scriptural foundation as its Hebrew-speaking counterpart.⁶²⁹ The translation itself is probably older than the middle of the second century BCE, though it cannot be dated accurately to within more than a century.⁶³⁰ Various reasons for the translation have been proffered, including liturgical, educational, for a library, to have the law available, and prestige; later dissatisfaction led to more literal translations in Roman Palestine.⁶³¹ The chief motivation was to bring the reader to the source.⁶³² The LXX thus stands poised between two worlds, and ‘represents a resolution of two powerful drives’: the pull of acculturation and the anxiety of cultural annihilation, which led to the invention of a translation language.⁶³³ Tessa Rajak argues that LXX Greek may have been the product of the house of study (Sir 51.23), or a translators’ cell; yet one must remain cautious and not place too much emphasis on finding an overall narrative which

⁶²⁷ Barr, *Semantics*.

⁶²⁸ See also Rajak, *Translation*, 163-65. Further, as Timothy McLay rightly notes (*The Use of the LXX in New Testament Research* [Grand Rapids: Eerdmans, 2003], 46), analysis of translation technique has to concern itself primarily with units of Scripture rather than the entire corpus of the LXX.

⁶²⁹ John J. Collins, *Between Athens and Jerusalem: Jewish Identity in the Diaspora*; 2nd ed.; The Bible Resource Series (Grand Rapids: Eerdmans, 2000), 19-20. The Septuagint becomes the biblical text of the Diaspora, as demonstrated by quotations in authors such as Demetrius and Philo.

⁶³⁰ John A. L. Lee, *A Lexical Study of the Septuagint Version of the Pentateuch*; SCS 14 (Chico, CA: Scholars, 1983), 131, 148. Tov, ‘The Septuagint,’ agrees that a date in the third century seems plausible, while Samuel Sandmel, *Judaism and Christian Beginnings* (Oxford: University Press, 1978), proposes 150 BCE as a reasonable terminal date for the translation of the LXX.

⁶³¹ Sylvie Honigman, *The LXX and Homeric Scholarship in Alexandria: A Study in the Narrative of the Letter of Aristaeas* (London: Routledge, 2003), 105-6; Harl, et al, *Bible Grecque*, 68; Anneli Aejmelaeus, *On the Trail of the Septuagint Translators: Collected Essays* (Leuven: Peeters, 2007), xiii; Rajak, *Translation*, 6, 19.

⁶³² Aejmelaeus, *Trail*, xiii.

⁶³³ Rajak, *Translation*, 126.

encompasses the entire LXX.⁶³⁴ The linguistic basis of the Greek of the LXX is the common, non-literary language of the Hellenistic period as spoken throughout the Greek-speaking world at the time; it is not homogenous, and the few distinctive traits generally relate to religious or theological terms.⁶³⁵ This study focuses on how the biblical language is used, how the translators used ζητέω and ἐκζητέω in particular, and why they may have chosen these words, specifically, whether the translators had the philosophical or critical background of ζητήσις in mind when translating שׂרר.

114 of the 165 occurrences of שׂרר in the OT are rendered in Greek by ζητέω and ἐκζητέω. This in itself is not unusual, as ζητέω is the most fitting translation of שׂרר. In the Pentateuch, which is programmatic for the translation as a whole, of the twenty-two occurrences of שׂרר, twelve are translated by ἐκζητέω, two by ζητέω, and the others are translated by eight different words. In Genesis, שׂרר occurs five times (9.5 [3x]; 25.22; 42.22), all translated by ἐκζητέω with the exception of 25.22, which uses πυνθάνομαι. In the sole occurrence in Exodus, 18.15: לִדְרֹשׁ אֱלֹהִים – ἐκζητήσαι κρίσιν παρὰ τοῦ θεοῦ, שׂרר is translated with ἐκζητέω. The translator of Exodus often demonstrated proficiency in Greek with numerous free renderings, adding words with no exact equivalent in the Hebrew.⁶³⁶ Thus, the precise sense of the Hebrew is conveyed by adding κρίσις. The pattern for the Torah is slightly skewed by Deuteronomy, where, of the fourteen occurrences, seven are translated by ἐκζητέω, and the other seven by seven different words, including ζητέω. While the percentage accounted for by ζητέω and ἐκζητέω is smaller, it demonstrates the most

⁶³⁴ Rajak, *Translation*, 136. See also Dines, *Septuagint*, 51.

⁶³⁵ Jan Joosten, 'Varieties of Greek in the LXX and NT,' in *Languages*; vol. 1 of *New Cambridge History of the Bible*, ed. by Paget and Schaper, 22-45, (23).

⁶³⁶ Aejmelaes, *Trail*, 86-87.

popular words chosen to render שׂרר in Greek, and this pattern follows in the rest of the LXX.

In order to more closely analyse why the translators may have chosen these words, the next section will examine how ζητέω and ἐκζητέω are used in the LXX.

6.1.1 How ζητέω and ἐκζητέω are used in the LXX

The verb ζητέω occurs 320x in the LXX, forty-one of which translate שׂרר, with the term also frequently translating בקשׁ and שאל. The primary meaning of ζητέω is to look for something (which is lost + accusative), though it may have the Lord as the object (Deut 4.29), the word of the Lord (Amos 8.12), or a vision from a prophet (Ezek 7.26). Further senses of ζητέω include to pursue as desirable; to aim to achieve; to ask after; to apply for guidance (Isa 8.19 – necromancy; 1 Sam 28.7 – of a [female] medium); to approach with a request; or to inquire into something as an object of intellectual pursuit (Sir 3.21; 1 Esdras 5.39; 2 Sam 11.3; 4 Macc 1.13).

In Wisdom Literature, wisdom is often the object of ζητέω (Wis 6.12; 8.2, 18; Sir 4.11; 6.27; 51.13), in addition to God, and the Lord. Further objects of ζητέω in Sirach include: the law (32.15); instruction (33.18); and freedom (33.26). In prophetic literature, the call is often to seek the Lord (Isa 51.5; 55.6). In Ezekiel, ζητέω is used with the meaning to seek a vision from the prophet (7.26). Daniel 1.20 notes that the king inquires of them in matters of wisdom and understanding, while in Dan 2.11, the

question the king is asking is too difficult. As a general rule, a text does not appear as an object for ζητέω, the notable exceptions being Ezra 7.10 and Sir 32.15.⁶³⁷

In Exod 2.15, the verb ζητέω is used in the phrase ‘Pharaoh sought to kill Moses’; such a sense was common, for example, in Exod 4.19. 24; 1 Sam 19.10; Esth 2.2, 21; 1 Macc 9.32. This reflects the use of שׁוּר with this sense, notably in Gen 9.5; 42.22. Ζητέω may also be used in the sense of ‘negative’ searching, as in 2 Kgs 1.6, 16, where Baal is the object, 1 Sam 28.7, where Saul seeks the witch of Endor, and 1 Chr 10.13, where a necromancer is the object. In Chronicles, ‘the Lord’ is most frequently the object of ζητέω (following the usage of שׁוּר in the Hebrew text); other objects include the commandments (1 Chr 28.8) and the ark (1Chr 13.3).⁶³⁸

The evidence is that ζητέω is, in most cases, considered by translators as the best word to translate שׁוּר. As can be seen from its occurrences, beginning with the Pentateuch, it is the most common word chosen to render שׁוּר in Greek.⁶³⁹

The verb ἐκζητέω occurs 132x in the LXX, of which over half (seventy-three) translate שׁוּר, with נָכַר and בִּקְשׁ the other Hebrew terms most frequently translated by ἐκζητέω. The primary meaning of ἐκζητέω is to look for or search for somebody

⁶³⁷ In Ezra 2.62, and its parallel, 1 Esdras 5.39, καὶ τούτων ζητηθείσης τῆς γενικῆς γραφῆς ἐν τῷ καταλοχισμῷ, ‘and when a search was made in the register of genealogy,’ a register is found as the object of ζητέω, which is not a source to be interpreted. The search is for a particular object, not the divine will. A similar phrase occurs in Neh 7.64. In Isa 34.16, where the Hebrew declares ‘seek in the book of the Lord and read,’ the Greek text differs entirely, ‘they sought not one another, for the Lord commanded them, and his spirit gathered them.’

⁶³⁸ The tabernacle of the Lord is the object of 1 Chr 21.20, which David was afraid to go before to inquire of the Lord.

⁶³⁹ The nominal form, ζήτησις, does not occur in the LXX, though Muraoka argues that one manuscript of Sir 20.32 contains the term, with the Lord as the object, ‘ζήτησις,’ *GELS*, 314. However, this verse is found only in ms. 248 (John H. A. Hart, *Ecclesiasticus: The Greek Text of Codex 248* [Cambridge: University Press, 1909], 27). While Muraoka argues for a nominal form, Hart’s reading, and that of Severino Bussino, *The Greek Additions in the Book of Ben Sira*; transl. Michael Tait; AnBib 203 (Rome: Gregorian & Biblical Press, 2013), 324, is the verbal form indicative future active of ζητέω: κρείσσων ὑπομοπνὴ ἀπαράιτητος ἐν ζητήσει κυρίου. The evidence is therefore much too tenuous to construct an argument.

or something. Occasionally, the word is used in parallel with ζητέω (Lev 10.16; Deut 4.29; 2 Chr 26.5; Prov 11.27; Isa 8.19 Jer 36.13). The verb is also used with the sense of to ask for (something) (Deut 23.21; Gen 9.5; Exod 18.15; Mal 2.7); to demand an account of (Gen 42.22; Ezek 3.18, 20); to investigate (Deut 17.9); or to apply to someone for guidance – in the sense of necromancy or divination (Isa 8.19 – paralleled with ζητέω, both translating שׂרר). Objects of ἐκζητέω include the Lord, the law, various legal objects (commandments – Pss 78.7; 118.45, 100; law – Ps 104.45; testimony/witness – Ps 118.22; regulation [δικαίωμα] – Ps 118.33, 56, 94, 145, 155), other gods (Deut 12.30; 2 Chr 25.20; 28.23), and the altar of a foreign god (2 Chr 1.5). In the Wisdom Literature, knowledge (Eccl 1.13), and wisdom (Wis 8.2; Sir 24.34; 51.14) are found as objects. In Bar 3.23, the object is ‘understanding’ (σύνεσις). So it can be concluded that the goal behind seeking is to obtain knowledge, wisdom, and understanding.

The verb ἐκζητέω is used in a legal context to denote a thorough investigation in Deut 17.4, and to describe an inquiry into who destroyed the altar of Baal in Judges 6.27. Isaiah 1.17 LXX states that judgement is to be sought.⁶⁴⁰ While the background of legal zētēsis is also present at this time, it had not fully developed, so its link to the translation of שׂרר could not be expected.

A third cognate term, ἐπιζητέω, with the primary meaning of to pursue something as an object of devotion or care, occurs eighteen times in the LXX, of which eight translate שׂרר, generally with the sense of inquiring of the Lord, a prophet, or indeed Baal (see Jdg 6.29; 1 Kgs 1.2, 3; 2 Chr 18.6). With the exception of

⁶⁴⁰ The Greek translates the Hebrew משפט as κρίσις (judgement), rather than justice, which also fits the Hebrew.

Isa 62.21, the instances where ἐπιζητέω translates שׂרר relate to searching for the will of the Lord, or Baal, while more mundane elements of searching which it renders are translations of שׂק (see 1 Sam 20.1; Esth 8.7; Hos 5.15). The evidence of the use of ἐπιζητέω indicates that a cognate of ζητέω was used to mean the inquiry of the Lord.

The third most frequent verb used to translate שׂרר is ἐπερωτάω, which occurs seventy-five times in the LXX, usually translating שׂאל, and twelve times translating שׂרר. The sense of this verb is usually to ask someone about something (Deut 4.32, former days; Job 8.8, of past generations; Num 27.21, of the Umin before the Lord; Jer 21.2, ask the Lord for us; Hag 2.11, ask the priests about the law; Deut 18.11 ghosts and spirits – שׂרר; Isa 19.3, consult idols - שׂרר). It can also be used for an inquiry after someone's wellbeing (Jer 37.14; 2 Sam 11.7); to request someone to do something (Sir 32.7); and to ask for (Ps 136.7, a song). The translators chose ἐπερωτάω to translate the sense of asking or requesting, in the sense of seeking an answer, which lies behind some occurrences of שׂרר in the OT.

While it would be remiss to read too much into the choice of ζητέω and its cognates to translate שׂרר, as the meaning behind both words is similar, there is a clear trend in its choice as the verb most used by translators to render it in Greek. Such arguments must be further tempered by the knowledge that the LXX had many different translators, each with their own methodologies. Yet, the genre of zētēsis could well have been influential in the translation of שׂרר. On the vast majority of occasions, translators chose to render שׂרר in Greek with ζητέω or a cognate. Their

reasoning can only be discerned from the translation itself.⁶⁴¹ The choice may have been influenced by how ζητέω and its nominal form (ζήτησις) were used, especially in the works of Homeric critics and early Hellenistic Jewish authors such as Demetrius. This does not mean ζήτησις is the equivalent of מדרש, nor that the Hebrew term had the later technical rabbinic meaning in biblical times (see 1 Chr 13.22; 24.27⁶⁴²). It should be noted that some copies of the Hexapla did translate the term מדרש in 1 Chr 13.22 with ἐκζητήσις, ‘enquiry’, which would be an equivalent of the later understanding of the word,⁶⁴³ but the evidence is not overwhelming. The next step will be to examine the origins and content of the genre of ζήτησις καὶ λύσεις.

6.2 The genre of zētēsis

The genre of zētēsis provides parallels with the study of midrash. This section will look at the origins of the genre, its prevalence in exegetical scholia, the development of *quaestiones* literature, and its role in posing and answering philosophical questions, before examining how the genre was adapted by Hellenistic Jewish authors (Demetrius and Philo), with the biblical text as its object. A study of the origins and history of this genre will reveal similarities with the genre of midrash, and explain some of the nuances behind the choice of ζητέω, ἐκζητέω and cognates to translate מדרש.

⁶⁴¹ See, in particular, the work of Anneli Aejmelaeus.

⁶⁴² In the former verse, מדרש is rendered as βιβλίον in Greek, while the latter verse has γραφή.

⁶⁴³ See Lieberman, *Hellenism*, 48, citing Field’s *Hexapla*, a1.

The *New Pauly* Encyclopaedia defines the related term *zētēma* (the question which lies behind *zētēsis*) as ‘a widespread Greek term for a philosophical-exegetical method of questioning and the subject of an investigation, as well as for the kinds of texts which deal with such questions.’⁶⁴⁴ In the Hellenistic period, *zētēsis* became primarily the investigation of individual exegetical problems in standard philosophical texts. In addition to philosophy, *zētēmata* appear in symposium literature, scholia, and philology, as well as representing the subject of a judicial inquiry. Behind all of these fields lies the sense of searching for the answer to a question. In Latin literature, the *zētēmata* appeared as *quaestiones*, and continued into medieval theological and philosophical tradition. The origins of the genre can be traced to the criticism of the works of Homer.

In his classic article, Gudeman distinguishes two types of *zētēsis* literature with different origins: the first relates to the interpretation of literature; the second, independent of a text, to philosophical questions.⁶⁴⁵ Gudeman defines the genre according to its answer, *λύσεις* being the answer to a scientific or academic question, the explanation of a difficulty, or the solution to a problem, in opposition to a *πρόβλημα*, *ζήτημα*, or *ἀπορία*.⁶⁴⁶ The distinction relates to whether they are prompted by a text, so that the first relates to textual exegesis, while the latter can cover a variety of subjects such as physics, ethics, music etc. The genres are thus distinguished by subject matter and not form.

⁶⁴⁴ Hans Armin Gärtner, ‘Zetema,’ in *Brill’s Encyclopaedia of the Ancient World, New Pauly*, ed. by Hubert Cancik and Helmuth Schneider; 22 vols. (Leiden: Brill, 2010), 15:913-15, (914).

⁶⁴⁵ Alfred Gudeman, ‘λύσεις,’ *RE* 13:2511-29.

⁶⁴⁶ Gudeman, ‘λύσεις,’ 2511.

6.2.1 The origins of zētēsis

The origins of zētēsis are found in the criticism of Homeric poems around the sixth century BCE.⁶⁴⁷ The original critics were disturbed by aspects of Homer's writing, and raised questions about matters they found objectionable, firstly from a moral perspective, while later Homer's grammar and style came under attack.⁶⁴⁸ In response to these attacks, defenders of the poet came to defend or solve (λύειν) difficulties raised by the critics. Thus the genre came to be called ζήτησις καὶ λύσεις; or προβλήματα.

At its most basic level, the genre of ζήτησις καὶ λύσεις is based on questions and answers, with the purpose of exploring and probing a subject. The *zētēma* is a kind of intellectual question which engages opposing viewpoints, though such a designation fits more easily in the field of philosophy than in that of Homeric criticism.⁶⁴⁹ Homer increasingly became the object of thorough critical examination, for ethical and grammatical concerns, stylistic and rhetorical difficulties, factual contradictions and inconsistencies, which led to a diversity of ζήτησις καὶ λύσεις. Aristotle and his school took up the challenge of responding in both *Homeric Problems* and chapter 25 of *Poetics*.⁶⁵⁰ While the original text of *Homeric Questions* has been lost, fragments remain in the scholia, especially in passages extracted from Porphyry. Dörrie and Dörries remark that ζήτησις is an unsystematic genre, of which

⁶⁴⁷ Adam Kamesar, *Greek Scholarship and the Hebrew Bible* (Oxford: University Press, 1993), 82. Schlunk, *Homeric Scholia*, 5, also traces the beginnings to the sixth century BCE, noting that there is ample evidence commentaries were being written on Homer as early as the fourth century.

⁶⁴⁸ Zoilus of Amphiolis studied the inconsistencies in Homer to become the poet's first real critic, see Felix Jacoby (ed.), *Fragmente der Griechischen Historiker*; 15 vols. (Berlin: Weidmann, 1923), 1:71. The criticisms of Zoilus were most likely the source of the attacks on Homer's narrative technique to which Aristotle replied in his *Homeric Questions* (see J. A. Dawson, 'The Homeric Question,' in *A New Companion to Homer*, ed. by Alan J. B. Wace and Frank H. Stubbings [London: Macmillan, 1962], 234-65, [239]). Buffière states that Zoilus was Homer's most famous detractor, writing nine books (*Mythes*, 2).

⁶⁴⁹ Gregory Nagy, *Homeric Questions* (Austin: University of Texas Press, 1996), 1.

⁶⁵⁰ Gudeman, 'λύσεις,' 2512.

the most important is the Homeric ζητήματα, ‘what does Homer mean by the words ...?’⁶⁵¹ The answer to such a question (ἀπορία) unfolds in the explanation of a word, or a monographic digression.

A ζήτημα or προβλήμα in the area of philology is often bound to a certain passage, and commonly asked what a verse, word, or sentence meant. The contents of these ζητήματα hold the middle ground between philosophy and philology, though their genesis is philological. The question requires a solution (λύσις), which is related to the former’s tone, and requests a detailed examination. Solutions range in length from a few words to a few pages, and the question may be significantly longer than the solution (for example, Rose fr. 144, where the question covers thirteen lines and the solution three).⁶⁵²

The ζήτημα emerged in Plato’s works as a question or inquiry of a philosophical nature. Platonic ζητήματα were often heard in the Platonic school in Athens.⁶⁵³ In analytical presentations, zētēsis related to questions posed by a pupil to a teacher – whether as a response to a thesis, or a text.⁶⁵⁴ Zētēsis triggers a search for an answer, or for premises on which a conclusion may be based. The model for such searches was Plato’s Socratic dialogues, with the refutations of definitions and theses.⁶⁵⁵

Zētēsis has its roots in defence of Homer against his critics. Allegorical exegesis of Homer began in the sixth century BCE with Theagenes. Ancient scholars closely examined Homer’s myths to identify their background and discover their

⁶⁵¹ Heinrich Dörrie and Hermann Dörries, ‘Erotapokreseis,’ *RAC* 6 (1960): 342-70, (343).

⁶⁵² Valentin Rose, *De Aristoteles Librorum Ordine et Auctoritate Commentario* (Berlin, 1854).

⁶⁵³ Dörrie, *Porphyrios*, 3.

⁶⁵⁴ See Dörrie, *Porphyrios*, 1 ff.

⁶⁵⁵ Michael Erler, ‘Philosophical Literature, genres of,’ *DNP*.

thought.⁶⁵⁶ In the second century CE, Neo-Platonists discover in Homeric myths a reflection of their beliefs and souls. The battle around Homer takes place between those who believe that he is an irreproachable poet, and those who believe that he is a storyteller of fiction, full of untruths, contradictions, errors, and guilty of immorality and impropriety.⁶⁵⁷ The material comes in two categories: firstly, dispersed across Greek literature from Pre-Socratics to Stoics, from Plotinus to the last of the Platonists; secondly, it includes Latin authors like Cicero, and crosses into Christianity and Judaism – for example, Clement of Alexandria and Philo. Works dedicated to Homeric interpretation are found in three groups: allegorical exegesis; works talking of Homer and myths in a more general way; and scholia-type works with verse-by-verse interpretation.

The purpose of early zetetic works was to defend Homer against claims of impiety, and the Homeric problems and solutions reported as Aristotelian by the scholiasts are a good sample of the range of concerns of early philosophical commentary. Aristotle sought to defend Homer against Plato, and other detractors, without explicitly mentioning Plato's name.⁶⁵⁸ 'Problems' to which Aristotle responds are raised in censure of Homer, who is attacked as unseemly, thoughtless or objectionable, due to problems like grammatical mistakes, strange words or customs, contradictions, moral offensiveness, or attributing unworthy behaviour to the gods or goddesses.⁶⁵⁹ Such criticisms fit the mood of the time: Xenophanes criticised Homer

⁶⁵⁶ Buffière, *Mythes*, 1.

⁶⁵⁷ Buffière, *Mythes*, 9.

⁶⁵⁸ Rudolf Pfeiffer, *History of Classical Scholarship: From the Beginnings to the End of the Hellenistic Age* (Oxford: University Press, 1968), 69.

⁶⁵⁹ Robert Lamberton, 'Homer in Antiquity,' in *A New Companion to Homer*, ed. by Ian Morris and Barry Powell (Leiden: Brill, 1997), 33-54, (52).

for belittling gods (including anthropomorphisms), while Plato had such a low opinion of the poet that he banished study of Homer from the Academy.⁶⁶⁰

It is probable that over a long period of time Aristotle had drawn up a list of difficulties or questions (ἀπορήματα/προβλήματα/ζητήματα) relating to the interpretation of Homer, and their respective solutions (λύσεις).⁶⁶¹ These defences were published in six books of Ὅμηρου Προβλήματα, of which thirty-eight questions are preserved.⁶⁶² Additionally, chapter 25 of *Poetics* (Περὶ δὲ προβλημάτων καὶ λύσεων) treats censures of Homer and responses, following the formula διὰ τί ...ἔστι δὲ λύσις. For example, Aristotle disputes the assertion as found in Plato's *Republic* (319b) that it cannot be true that Achilles dragged the corpse of Hector around the tomb of the Patroklos. Aristotle contradicts this assertion, referring to a Thessalian custom, still prevalent, he says, in his own time, of dragging the corpse of murderers around the tombs of those they had murdered.⁶⁶³ Such analysis provides an example of how Aristotle used his collections for the correct interpretation of the epic poet.⁶⁶⁴

In *Poetics*, a problem (usually πρόβλημα) is advanced as deserving discussion, and the solution (λύσις) may be found in historical or philological

⁶⁶⁰ Sze-Kar Wan, 'Philo's *Quaestiones et solutions in Genesim*: A Synoptic Approach,' ed. by E. H. Loverin; SBLSP 32 (Atlanta: Scholars, 1993), 25-53, (37).

⁶⁶¹ Pfeiffer, *History*, 69. While Aristotle may be the first recorded collector of the Homeric Questions, and solved a number of the so-called problems, Pfeiffer argues that some of these had been discussed for two centuries: Xenophanes attacked Homer on moral grounds, with Theagenes in defence replying with allegorical interpretations.

⁶⁶² A number of quotations from Aristotle's work were preserved, mostly by Porphyry's *Homeric Questions*. Of this work, fragments are found in the Codex Vaticanus (Schrader 1:281-355). There are 800 ζητήματα καὶ λύσεις, which are usually shorter and passed on in scholia. Only 38 fragments of Porphyry's work have survived, preserved in Eusebius's *Praep. evan.* Hermann Schrader's two works *Porphyrii Quaestionum Homericarum ad Iliadem pertinentium reliquias* (Leipzig: BSGRT, 1880) and *Porphyrii Quaestionum Homericarum ad Odysseam pertinentium reliquias* (Leipzig: BSGRT, 1890) contain collections of scholia on both of Homer's great works. Schrader assembled the remains of scholia, which he argued came from the early part of Porphyry's career. Eighty years later, Hartmut Erbse, *Beiträge zur Überlieferung der Iliasscholien*; *Zememata* 24 (Munich: Beck, 1960), updated the scholia on the *Iliad*.

⁶⁶³ Porphyry, *Homeric Questions* (Rose, fr. 166).

⁶⁶⁴ Pfeiffer, *History*, 70.

learning. A problem is a difficult passage or expression requiring explanation and may be easily censured by an unsympathetic critic. Many objections Aristotle tries to answer are matters of extreme detail.⁶⁶⁵ Aristotle agrees with Plato's *Republic* 378d in rejecting the method of ὑπόνοια (the allegorical concealed meaning) in literary interpretation in chapter 25 of *Poetics*. In his defence of Homer, Aristotle acts as if he is clearing the poet from a charge, for example *Poet.* 25.7 ὥστε δεῖ τὰ ἐπιτιμήματα ἐν τοῖς προβλήμασιν ἐκ τούτων ἐπισκοποῦντα λύειν ('these considerations must, then, be kept in view in meeting the charges contained in these objections').⁶⁶⁶ In *Poet.* 25.20, a problem relating to *Il.* 10.251-53 was raised on the matter of ἀμφιβολία (ambiguity): how a third of the night could be left when over two thirds had passed was called by the scholia a πολυθρύλητον ζήτημα. The true λύσις is that Homer wavered between 'half the night had passed' and 'one third of the night was left'. Porphyry records Aristotle's treatment of the passage: that πλέων can mean both 'more than' and 'the greater part of'. The alleged exposition is that the greater part of the second half could have passed, so one third could be left without doing violence to the arithmetic, fitting use of πλέων. While the discussion in chapter 25 of *Poetics* is difficult and compressed, possibly as it acts as a synopsis of the larger work, *Homeric Questions*, it gives a strong flavour of Aristotle's treatment of Homeric criticism.

Aristotle's questions have a uniformity of style, which is more or less replicated in the solutions. Almost all fragments begin with the formula διὰ τί. Of the exceptions, five contain no question (154, 162, 165, 169, 170); two contain only solutions (168, 177); and seven are objections or censures, introduced by other

⁶⁶⁵ For example, in 1401b, when a word seems to offer contradiction, one must examine how many senses it can have: 'in how many ways is it possible for the (arrow) to be stopped by the golden shield, like this or like that?' see Buffière, *Mythes*, 162.

⁶⁶⁶ This is similar to the role that the ζήτηται or investigators would play in legal investigation in Athens.

formulae (143, 144, 160, 161, 167, 172, 175). Of the 38 solutions, 31 are introduced by φησὶ ὁ Ἀριστοτέλης or a similar formula, with λύειν occurring eleven times (149, 152, 160, 161, 164, 166, 170, 171, 172, 173, and 174).⁶⁶⁷ The verb ζητεῖν is used in fragments 171 and 172, while the question in 161 is explicitly designated a ζήτημα.

The activity was not limited to Aristotle, but there are far fewer extant examples from others. One exception is Euripides (481-407 BCE), who defended Homer against fierce detractors who point to the immoral nature of the poet's work, though of a considerable amount of those preserved in the scholia, only nine remain, and no full questions are extant.⁶⁶⁸ Zeno, the founder of the Stoic school, wrote *Homeric Questions*, which had a focus on theology, argued to be a Stoic innovation.⁶⁶⁹ Heraclitus authored *Homeric Allegories* in the first century BCE or CE, having inherited a long tradition of questions or problems across five centuries.⁶⁷⁰ As the title suggests, he aimed to demonstrate that Homer was not impious, arguing for allegorical readings of the text.⁶⁷¹ Thus, the genre, which was initiated by Aristotle, continued, and gained momentum in later years, and was adapted to different settings.

Aside from scholarly investigation into literary problems such as Homer's dates, authorship, dialect, grammar, and contradictions, *zētēmata* became popular both in schools and for after-dinner conversation, and questions were posed for the

⁶⁶⁷ Wan, 'Philo's,' 25.

⁶⁶⁸ Gudeman, 'λύσεις,' 2518.

⁶⁶⁹ Diogenes Laertius 7.4 notes that Zeno wrote five books of problems, but all have been lost; Donald A. Russell and David Konstan (eds.), *Heraclitus: Homeric Problems*; WGRW 14 (Atlanta: SBL, 2005), xx; A. A. Long, 'Stoic Readings of Homer,' in *Homer's Ancient Readers: The Hermeneutics of Greek Epic's Earliest Exegetes*, ed. by Robert Lamberton and John J. Keaney (Princeton, NJ: University Press, 1992), 41-66, (48). Zeno discussed standard philological cruxes and grammatical problems.

⁶⁷⁰ Heraclitus, not to be confused with the philosopher of the same name, has been called Pseudo-Heraclitus by Kamesar, *Greek*, 89.

⁶⁷¹ Russell and Konstan, *Heraclitus*, xii. See also Buffière, *Mythes*, 68 ; Long, 'Stoic,' 45-46.

pleasure of exercising one's wits in providing ingenious solutions.⁶⁷² In the educational setting, Pierre Hadot argues that ancient schools often promoted an adaptable 'question and answer' method of learning:

Different works written by the same author and guided according to this 'zetetic' method, 'one that seeks', will not necessarily be coherent on all points because the argument in each work will be a function of the question asked.⁶⁷³

Such comment belies one of the key attributes of *zētēsis*: it can adapt to any setting and allows both close analysis of a text, but also the ability to, by virtue of the question(s) posed, open up the text to the direction in which the author wants to take the argument.⁶⁷⁴ The setting of the symposium gave rise to a genre that was frivolous and playful, as opposed to the more serious works of Aristotle and his fellow defenders of Homer. With time, the search for questions and solutions took on a playful character, and often degenerated into sophistry and foolish gimmick. Aristarchus argues that the ζητήματα καὶ λύσεις were established for witty reasons, and dilemmas were only raised for the purpose of providing solutions, for example Schol A. *Il* 2.494.⁶⁷⁵

During the Hellenistic (323-146 BCE) and Imperial periods (The Golden Age – Horace [65-8 BCE]; Vergil [70-19 BCE]; Ovid [43 BCE-17 CE]), the genre of ζητήματα καὶ λύσεις reached its highpoint. The genre in its Latin form (*quaestiones*) related almost entirely to Vergil in texts which remain extant. At this stage, the genre made its way into the Christian world, though the form was used by

⁶⁷² Schlunk, *Homeric Scholia*, 6.

⁶⁷³ Pierre Hadot, *Philosophy as a Way of Life*; ed. with introduction by Arnold I. Davidson; transl. Michael Chase (Oxford: Blackwell, 1995), 63. William J. Slater, 'Aristophanes of Byzantium and Problem-Solving in the Museum,' *CIQ* 32 (1982): 336-349, (347), also notes the school as a likely setting.

⁶⁷⁴ *Zētēmata* could appear in almost any kind of grammatical work. Thus, Slater, 'Aristophanes,' 357 states that Strabo's first book is largely filled with a rambling discussion of a *zētēma* based on *Od.* 1.24, while Aristarchus rails against the frivolous and endemic presence of *zētēmata*, he takes part in a discussion on *Il.* 10.252, indicating interest in the genre.

⁶⁷⁵ Gudeman, 'λύσεις,' 2514.

Jewish scholars Demetrius the Chronographer and in Philo's *Questions and Answers in Genesis and Exodus*, both of which will be examined below. As Adam Kamesar notes, *zētēsis* was particularly suitable for biblical exegesis, as much of the OT, like the Homeric poems, was based on an oral tradition, which leads to 'problems' such as inconsistency, offensive morality, and other issues which exegetes may solve, as they did with the text of Homer.⁶⁷⁶ Questions were posed by either opponents, or by those who wished to demonstrate the authenticity or relevance of a text.⁶⁷⁷

6.2.1.1 Conclusion on Origins of *zētēsis*

The origins of *zētēsis* are found in the defence of Homer against attacks on his use of grammar and charges of impiety. The earliest exponents include Aristotle, who wrote six books of *Homeric Questions*, which defended the poet against censure and attack. The genre continued to be used until at least the fifth century CE, and moved away from being text-based to include questions of philosophy, medicine and science. Exegetical *zētēmata* centred on objections to Homer's works. Moral objections included charges of impropriety, immorality, and anthropomorphisms, while Homer also came under attack for his style, grammar, and inconsistencies in the narrative. Frequently, Aristotle responded in defence of the poet, using evidence from history, or philology. The genre of ζήτησις καὶ λύσεις was adaptable to a variety of settings and was found in schools and symposiums. It was also adopted by Jewish authors, as will be demonstrated in the next sections.

⁶⁷⁶ Kamesar, *Greek*, 84.

⁶⁷⁷ In a later work, Jerome's *Quaestiones Hebraicae in Genesim* asks questions of the Hebrew text of Genesis in order to solve problems in the LXX with reference to the Hebrew text.

6.3 Demetrius the Chronographer

One of the earliest exponents of the question and answer formula in the field of biblical exegesis was Demetrius the Chronographer, whose questions on the Pentateuch follow the text, with interruptions for questions.⁶⁷⁸ Demetrius has been called the forerunner of midrashic literature,⁶⁷⁹ though others believe that he was first and foremost an exegete,⁶⁸⁰ and others that he was more a historian than an exegete.⁶⁸¹ Demetrius aimed to resolve problems in the biblical text, particularly related to chronology and genealogy. Six fragments of Demetrius's work have survived in the work of Eusebius (*Praep. evan.* 9.19.4; 9.21.1-19; 9.29.1-3; 9.29.15; 9.29.16c); and Clement (*Stromateis* 1.141.1-2).⁶⁸² The work is published in Holladay.⁶⁸³ While what remains of his work does not permit a full understanding of how he viewed Judaism, it is possible to conclude that he was attached to the Torah and concerned to promote its credibility. The central issue is whether these questions can be considered to fall under the genre of *zētēsis* and whether Demetrius has applied the genre in a similar way to earlier defenders of Homer.

⁶⁷⁸ The dating of Demetrius is held to be in the time of Philopator (221-205 BCE), indicated by Clement, *Stromateis* 1.141.1-2. Demetrius is held to be the earliest biblical exegete to write in Greek, see Collins, *Between*, 33; Hengel, 'Interpenetration,' 200, and also the oldest writer known by name, see Nikolaus Walter, 'Jewish-Greek Literature of the Greek Period,' in *The Hellenistic Age*, vol. 2 of *Cambridge History of Judaism*, ed. by Davies and Finkelstein, 385-408, (387).

⁶⁷⁹ Jacob Freudenthal, *Hellenistische Studien* (Breslau: Skutsch, 1975), 219-23.

⁶⁸⁰ Nikolaus Walter, 'Fragmente jüdische-hellenistischer Exegeten: Aristobulus, Demetrios, Aristeas,' in *JSHRZ* 3:2 (Gütersloh: Gütersloher Verlagshaus, 1975), 257-99.

⁶⁸¹ Peter M. Fraser, *Text*, vol. 1 of *Ptolemaic Alexandria*; 2 vols. (Oxford: Clarendon, 1972), 690-94.

⁶⁸² The fragments contain: 1) a synopsis of the Akedah; 2) (the longest) mainly patriarchal chronology, reflecting Jacob's career and birth dates and the ages of the twelve sons and one daughter, concluding with Joseph's career in Egypt and Moses's ancestors' chronology; 3) mainly treats the genealogy of Moses and Zipporah, reconciling various traditions of Zipporah's father; 4) synopsis of changing the bitter water to sweet at Marah, and the arrival of the people at Elim (Exod 15.22-27); 5) the question of how the Israelites acquired weapons after the Exodus; 6) from Demetrius's work on the kings of Judea, gives a number of examples of the years between the various deportations of Israel and Judah, and Demetrius's own time.

⁶⁸³ Carl R. Holladay, *Historians*, vol. 1 of *Fragments from Jewish Hellenistic Authors* (Chico, CA: Scholars, 1983).

While Demetrius may have set out to offer an apologia for Judaism, it is debatable how much interest non-Jews would have in his work.⁶⁸⁴ He used the Greek Bible as his basis and combined his reading of the text with Alexandrian critical standards.⁶⁸⁵ There is no suggestion he was conscious of interpreting a translated text.⁶⁸⁶ The LXX was viewed by Demetrius as the scriptural text, and is quoted as such.⁶⁸⁷ Indeed, the LXX was Demetrius's only source and his knowledge of its contents is both detailed and exact.⁶⁸⁸ Demetrius criticised and summarised the chronology and provided explanations of obscure events. The most likely audience was Alexandrian Jews.⁶⁸⁹ The surviving fragments do not discuss Jewish law, yet his work demonstrates a sense of narrow concentration on that law, all the while accepting Hellenistic forms of thought as the framework for his presentation. Demetrius sought to strengthen the standing of the Torah, aiming to silence the skeptic and hearten the faithful.⁶⁹⁰ In spite of this, the work appears to engage in exegesis for its own sake, a product of engaging with the practices of Alexandrian scholarship, and using practices of Greek learning to engage with the Bible. Alternatively, Erich Gruen argues that Jewish, rather than Hellenistic, practices undergird the history of Demetrius, citing Jubilees as an example with no Alexandrian influence.⁶⁹¹ Ben Zion Wacholder notes that the use of *zētēsis* can be linked to the Hellenistic culture, a claim which goes back to Jacob Freudenthal,⁶⁹² and became one of the chief midrashic devices. The absence of any other rhetorical usage or technical

⁶⁸⁴ Collins, *Between*, 34.

⁶⁸⁵ Ben Zion Wacholder, *Eupolemus: A Study of Judeo-Greek Literature*; Monographs of HUCM 3 (Cincinnati: Hebrew Union College, 1974), 280 asserts that Demetrius is the first Greek-Jewish writer clearly dependent on the LXX. See also Walter, 'Jewish-Greek,' 388.

⁶⁸⁶ Walter, 'Jewish-Greek,' 388.

⁶⁸⁷ Jan Joosten, 'Reading God's Word in Translation: The Septuagint in Historical, Philological and Theological Perspective' (paper delivered in Dublin, National Bible Society of Ireland; 23 March 2017).

⁶⁸⁸ Holladay, *Fragments*, 1:52.

⁶⁸⁹ Collins, *Between*, 35.

⁶⁹⁰ Gruen, *Heritage*, 135.

⁶⁹¹ Gruen, *Heritage*, 117.

⁶⁹² Freudenthal, *Hellenistische*, 220.

vocabulary could mean that his use of question and answer was not necessarily borrowed from a manual of Greek rules.⁶⁹³ Yet, the similarities between Demetrius's work and that of earlier Homeric commentators, coupled with the location of Alexandria, which was the epicentre of *zētēsis*, suggests that Demetrius was employing the techniques of the Hellenistic world to the biblical text.⁶⁹⁴ The questions which Demetrius raises would be very much at home in the milieu of Aristotle and Aristarchus, who were strong on the study of texts. Demetrius provides evidence that the tradition of close reading of the biblical text and investigation into the characters and chronology of events was being carried out on the Greek Bible by Jews.⁶⁹⁵ His work was intended for Jews who read and spoke Greek, especially if they were attracted to Hellenic rational and critical inquiry. The Bible's troubling problems (inconsistencies, chronological disparities, and historical perplexities), which may have exercised the minds of attentive Bible readers among the Alexandrian Jews, were tackled via rationalism, not apologia. Demetrius wrote for those who already knew enough of the Bible to be bothered by episodes that raised doubts concerning the story.

Demetrius's work reflects the Alexandrian procedure of *zētēsis*.⁶⁹⁶ Demetrius tried to establish chronological and genealogical order among biblical events and patriarchs, and answer difficulties that arose in reading the biblical text. Not all the

⁶⁹³ Wacholder, *Eupolemus*, 280.

⁶⁹⁴ This fits a scenario where the LXX was translated by Jews living in the Alexandrian diaspora; see Joachim Schaper, 'The Concept of the Translator(s) in the Contemporary Study of the Septuagint,' in *Footsteps*, ed. by de Troyer, et al, 31-46, (45).

⁶⁹⁵ Robert Doran, 'The High Cost of a Greek Education,' in *Hellenism*, ed. by Collins and Sterling, 94-115, (103).

⁶⁹⁶ Hengel, 'Interpenetration,' 200; Collins, *Between*, 34; Gregory E. Sterling, *Historiography and Self-Definition: Josephus, Luke-Acts and Apologetic Historiography*; NovTSup 44 (Leiden: Brill, 1992), 160. Elias J. Bickerman, 'The Jewish Historian Demetrios,' in *Christianity, Judaism, and Other Greco-Roman Cults: Studies for Morton Smith at Sixty*; Part 3: *Judaism Before 70*, ed. by Jacob Neusner (Leiden: Brill, 1975), 3:72-84, (78) notes that the well-known introductory form of Greek scholarly discussion, 'a question arises ...' is used by Demetrius.

problems are chronological, Demetrius addresses questions such as why Joseph delayed bringing his relatives to Egypt,⁶⁹⁷ or how, after passing through the Red Sea, the Israelites come to be armed (Exod 17.4)?⁶⁹⁸ Demetrius sought to straighten out chronological discrepancies, solve historical puzzles, and reinforce the credibility of Scripture. He had no interest in the character, personality, or moral dilemmas of biblical passages.⁶⁹⁹ He made Zipporah a descendant of Abraham, in a passage which reflects a particularly Jewish concern, showing that Moses was not polygamous and did not marry outside his own people.⁷⁰⁰ Demetrius responds to questions with a realistic attitude, carrying echoes of Hellenistic concern with Homer. Nikolaus Walter argues that the literary form of ζήτησις καὶ λύσεις is reflected in the work of Demetrius, even down to matters of style.⁷⁰¹ Demetrius's questions are far removed from those of semi-philosophical literature, and reflect a genuinely critical attitude to the biblical narrative.⁷⁰²

A standard example of zētēsis is found in fragment 2 (*Praep evan* 9.21.13):

Question: A crucial question arises as to why (διαπορεῖσθαι δὲ διὰ τί) Joseph gave Benjamin a fivefold portion at the meal even though he would not be able to consume so much meat. Solution: He did so because seven sons had been born to his father Leah whereas only two sons had been born to him by Rachel his mother. For this reason he served up five portions for Benjamin and he himself took two. Thus, there were between them seven portions, that is, as many as all the sons of Leah had taken.⁷⁰³

⁶⁹⁷ Fragment 2, *Praep evan* 9.21.13.

⁶⁹⁸ Fragment 5, *Praep evan* 9.29.16.

⁶⁹⁹ Gruen, *Heritage*, 80.

⁷⁰⁰ Questions on Moses and Zipporah include: 'How can Moses and Zipporah be alive at the same time when one belongs to the seventh generation after Abraham, and the other to the sixth?' (fr. 3, *Praep evan* 9.29.3); 'Why should Zipporah be called a 'Cushite' by Aaron and Miriam (Num 21.1)?' (fr. 3, *Praep evan* 9.29.3).

⁷⁰¹ Walter, 'Jewish-Greek,' p. 388.

⁷⁰² Fraser, *Ptolemaic*, 1:693.

⁷⁰³ Translation Holladay, *Fragments*.

This question follows Aristotle's short form: *question* introduced by διὰ τί, a short paraphrase of the verse in question, and a solution. There is no need for an explanatory clause, as the question could stand on its own.

Demetrius asked the same kind of questions of the Bible as both the critics and defenders of Homer did of the poetic text. Such questions may have emerged in schools of exegesis. There is evidence of such schools existing at a later date, and Demetrius may well have been part of an earlier form.⁷⁰⁴ Hengel proposes that from the time of 180 BCE there was a Jewish philosophical school tradition in Alexandria, which continued through the time of Philo and into Christian tradition with Clement of Alexandria and Origen.⁷⁰⁵ Demetrius exploits the zetetic formula with the aim of disposing of historical difficulties in the text.⁷⁰⁶ In fragment 3, in particular, Demetrius demonstrates an approach similar to that of his contemporary Eratosthenes.⁷⁰⁷ The exegetical basis of the exposition becomes clearer when one notes the importance of the questions in driving the interpretation.⁷⁰⁸

The evidence from Demetrius demonstrates that in the third century BCE, a Jewish exegete was comfortable using zetetic techniques to explain the biblical

⁷⁰⁴ John S. Hanson, 'Demetrius the Chronographer,' in *Expansions of the "Old Testament" and Legends, Wisdom and Philosophical Literature, Prayers, Psalms, Odes, Fragments of Lost Judeo-Hellenistic Works*, vol. 2 of *The Old Testament Pseudepigrapha*, ed. by James H. Charlesworth (New York: Doubleday, 1985), 843-54, (844). Hanson also posits that the LXX may represent a school of biblical chronology. William Horbury, 'Biblical Interpretation in Greek Jewish Writings,' in *Languages*; vol. 1 of *New Cambridge History of the Bible*, ed. by Paget and Schaper, 1:289-320, argues that Demetrius points to evidence of an existing tradition of Greek Jewish exegesis (305).

⁷⁰⁵ Martin Hengel, *Jews, Greeks and Barbarians: Aspects of the Hellenization of Judaism in the pre-Christian Period*; transl. John Bowden (London: SCM, 1980), 99. Harold W. Attridge, 'Historiography,' in *Jewish Writings*, ed. Stone, 157-85, (162) proposes Demetrius's work was part of a school, possibly at Alexandria.

⁷⁰⁶ Tessa Rajak, 'The Sense of History in Jewish Intertestamental Writing,' in *The Jewish Dialogue with Greece and Rome: Studies in Cultural and Social Interaction* (Leiden: Brill, 2002), 11-37, (24) argues that these questions and answers are of midrashic type.

⁷⁰⁷ Eratosthenes of Cyrene was a Greek mathematician, geographer, poet, astronomer, and music theorist. He was a man of learning, becoming the chief librarian at the Library of Alexandria. He lived from 276-294 BCE, and died in Alexandria.

⁷⁰⁸ Further examples of this are the question as to why Joseph waited nine years and Benjamin was given five portions (fr. 5; *Praep evan* 9.29.16).

text.⁷⁰⁹ Everything Demetrius discussed had a biblical basis, and he used the biblical text as the starting point for his work. This is a clear use of the technique which had become famous through the Homeric questions. While the term ζήτησις does not occur in Demetrius's work, the form is that of the genre of zētēsis. This method of posing exegetical problems and giving an answer, as well as being widely used in the Hellenistic world, played a central role in Philo's exegesis – the focus of the next section.

6.4 Philo of Alexandria: *Questions and Answers on Genesis and Exodus*

The genre of zētēsis was used by Philo of Alexandria, whose method of composing allegorical treatises is closely related to the exegetical methods developed by Greek and Jewish interpreters of authoritative writings, notably Homeric exegesis in the form of ἀπόρια/ζητήματα καὶ λύσεις, which parallel especially Philo's *Quaestiones*.⁷¹⁰ Various scholars have argued that the germ of Philo's method is to be found in the question and answer method, which they have speculated may have been practised in the Alexandrian synagogue.⁷¹¹ While formal aspects of the genre are drawn from Greek models, the manner of invoking and handling the biblical text has a

⁷⁰⁹ Wan, 'Philo's', 29.

⁷¹⁰ David T. Runia, 'Further Observations on the Structure of Philo's Allegorical Treatises,' VC 41 (1987): 105-38, (120, 136). Runia in another article 'Mosaic and Platonist Exegesis: Philo on "Finding" and "Refinding",' VC 40 (1986): 209-17 notes that Philo's reference to οἱ ζητήτικοι τῶν κυρίων ὀνομάτων in *De gigantibus-Quod Deus immutabilis sit* (86) is more than likely not a specialist in linguistic usage, but one who is interested in or careful about the use of words. The ζητήτικοι may well be Platonist exegetes.

⁷¹¹ David T. Runia, 'Secondary Texts in Philo's *Quaestiones*,' in *Both Literal and Allegorical: Studies in Philo of Alexandria's Questions and Answers in Genesis and Exodus*, ed. by David M. Hay; BJS 232 (Atlanta: Scholars, 1991), 47-79, (48). See also Valentin Nikiprowetzky, *Le Commentaire de l'Écriture chez Philon d'Alexandrie: son caractère et sa portée; observations philologiques*; ALGHJ 11 (Leiden: Brill, 1977), 170-80; Peder Borgen and Roald Skarsten 'Quaestiones et Solutiones: Some Observations in the Form of Philonic Exegesis,' *SPhiloA* 4 (1976-77): 1-15.

Jewish background.⁷¹² Using such a technique could be seen as a forerunner of the midrashic form.

Quaestiones et Solutiones in Genesim et Exodum (QG; QE) is the largest of Philo's extant writings.⁷¹³ It comments on the two books in sequential order, often beginning with a query like 'What is the meaning of the words ...?' One or more interpretations follow, both literal and allegorical, even on the same text. Even though the commentary is on Genesis and Exodus, other biblical passages are included, though the interpretation of secondary texts plays a smaller role than in Philo's other commentaries. There is a distinction between primary exegesis, which concentrates on the biblical lemma, and secondary exegesis, which includes reference to another biblical text, which Philo deemed necessary to understand the main biblical lemma. The secondary text is normally linked verbally rather than thematically.⁷¹⁴ The questions generally focus on the primary biblical lemma and there is little secondary exegesis in *Quaestiones*. In responding to his questions, Philo first offered a literal response, followed by a figurative or allegorical one. The genre combines Homeric questions and scriptural exposition as practiced in the synagogue. In his discussion, Philo did not see a conflict between scriptural exegesis and philosophical discussion, simply a difference in method and purpose.⁷¹⁵ The question is therefore not whether Philo was influenced or dependent on synagogue traditions, but how great this influence was. Philo endeavoured to expound Mosaic thought in relation to Greek philosophical, scientific, and even, theological ideas.⁷¹⁶

⁷¹² David T. Runia, 'Further Observations,' 120.

⁷¹³ The work has survived through the Armenian tradition.

⁷¹⁴ Runia, 'Secondary,' 48. See also Gregory E. Sterling, 'The Interpreter of Moses: Philo of Alexandria and the Biblical Text,' in *Companion*, ed. by Henze, 415-35, (418), who notes that approximately 10% cited a secondary lemma.

⁷¹⁵ David T. Runia, *Exegesis and Philo: Studies on Philo of Alexandria* (Aldershot: Variorum, 1990), 7.

⁷¹⁶ David T. Runia, 'How to Read Philo,' *NedTT* 40 (1986): 185-98, (193).

The genre of *Quaestiones* stands out from Philo's other writings, and suggests that Philo regarded himself as belonging to a community and succession of exegetes.⁷¹⁷ John Dillon has posited that the questions may be a means of promoting a certain literary tradition.⁷¹⁸ Philo's questions are very attentive, and tackle difficulties posed by the text, for example, which river flowed out of Eden.⁷¹⁹ Or, why put man in charge of the garden when it was not necessary for it to be worked on?⁷²⁰ Other questions noted changes in person,⁷²¹ and indeed questioned the order of words.⁷²² On occasion, Philo does not even ask a question, but simply states the biblical lemma with little or no elaboration, without an attempt to define what the question might be, meaning one needs to look to the solution to divine what the question might be.⁷²³ Philo's solutions differ from those in the Homeric questions in that they are frequently longer.⁷²⁴ While it could be argued that the motive behind the Homeric questions is to flag problems, rather than find solutions, Philo's answers were solution-focused. For Philo, each biblical lemma is like a code to be decoded by allegorical interpretation, so that the text itself becomes an ἀπορία to be resolved.⁷²⁵ The more substantive zetetic inquiries of Aristotle and Demetrius have been replaced by Philo's rhetorical questions. The formula διὰ τί has become a rhetorical or stereotypical marker, leading Wan to remark that the genre is in danger of moving from zētēsis to

⁷¹⁷ David M. Hay, 'References to Other Exegetes,' in Hay, *Both Literal*, 81-97, (97).

⁷¹⁸ John M. Dillon and David Winston, *Two Treatises of Philo of Alexandria: A Commentary on De Gigantibus and Quod Deus Sit Immutabilis*; BJS 25 (Chico, CA: Scholars, 1983), 83-84.

⁷¹⁹ Philo, *QG*, I.12-13.

⁷²⁰ Philo, *QG*, I.14.

⁷²¹ Philo, *QG*, I.15.

⁷²² Philo, *QG*, II.79.

⁷²³ Such an example is found in *QG* 1.2: Q: 'What is, "and God made every verdure of the field before it came about on earth and every grass before it grew on earth" (Gen 2.5)?' Of 636 questions, 288 are rhetorical; 52 are paraphrastic questions (lemmata paraphrased and not cited), which is a total of 340 (53.4%). More than half the questions do not raise substantial ζητήματα but are little more than markers for Biblical lemmata. In twenty-one passages, ζητήματα are found not in the question but in the solution – for example, *QG* 4.91.

⁷²⁴ For example, in Rose, fr. 144, the question is thirteen lines, while the solution is three lines.

⁷²⁵ Wan, 'Philo's,' 35.

scholia,⁷²⁶ to the extent that it raises questions as to whether it really falls under the genre of zētēsis.

Philo approaches Scripture with a mind already trained in Greek philosophy, Platonism, the Stoics, and other systems.⁷²⁷ His exegetical method allows him to draw the biblical text towards the meaning he wishes to make. In *Quaestiones* Philo uses only one technique to interpret the text, the question; this question can begin with the opinion of another exegete, a semantic distinction, or a grammatical observation. While the question allows the text to flow to a certain extent, it is the structure of the biblical text which frames the final work.⁷²⁸ It is reasonable to inquire whether Philo is posing his own questions, or using those asked by predecessors.⁷²⁹ Of the 100 questions in *QG*, forty-one deal with philosophical issues, while fifty-nine treat issues posed by the text itself. Questions relating to the text include ἄλογος, anthropomorphisms, unexplained assumptions, contradictions, and the order of the text. Behind the questions, Philo wanted to write a verse by verse commentary and the main purpose of the questions was to allow him to explicate the text literally and philosophically. Using this process, Philo was able to take over questions already in the exegetical tradition to allow his work to fit into the tradition. The questions may have formed part of a question bank, which Philo mined for his other writings.⁷³⁰ However, it is more likely that *QG* is an independent work which adopted the questions and answers formula. Philo used traditional exegetical formulas in a flexible

⁷²⁶ Wan, 'Philo's,' 36.

⁷²⁷ Fernández-Marcos, *LXX*, 264.

⁷²⁸ In *Mut*, Philo uses the same technique to exegete Gen 17.1, beginning by citing the biblical lemma, followed by questions, which he answers in sequence.

⁷²⁹ Gregory E. Sterling, 'Philo's *Quaestiones*: Prolegomena or Afterthought?' in Hay, *Both Literal*, 99-123, (102).

⁷³⁰ Such a theory has been advanced by Sterling, 'Philo's,' 122; and Samuel Sandmel, *Philo of Alexandria: An Introduction* (Oxford: University Press, 1979), 79. The alternative point of view is held by Wan, 'Philo's,' and Borgen and Skarsten, '*Quaestiones*.'

way,⁷³¹ adapting an existing methodology to fit his purpose. Philo was steeped in the synagogue,⁷³² and the Jewish world of Alexandria, and he took elements from Hellenistic exegesis to create his argument.⁷³³ There are commonalities between Philo's questions and those of rabbinic exegesis, even on occasion drawing on the same traditions, or questions, for example 'why man was created last' (*Opif* 77; t. Sanh. 8.7).⁷³⁴ The phrases used, especially 'why,' denote similarities in form with the Hebrew terminology, with *מפני מה* commonly used by the rabbis in their interpretation of Scripture.⁷³⁵

Although it can be argued that some of the hermeneutical techniques used by Philo originated in Scripture itself, the first outside influence probably came from Homeric commentaries, which used allegory in the same way as Philo.⁷³⁶ Although their allegory often appears to be apologetic, it was often based on a sincere belief that Homer was actually trying to teach philosophical truths.⁷³⁷ The rabbis employed similar techniques to those of the grammarians and Philo. For example the technique of changing word order⁷³⁸ was employed by the rabbis in response to an issue in Num

⁷³¹ Peder Borgen, *Philo of Alexandria: An Exegete for His Time*; NovTSup 86 (Leiden: Brill, 1997), 94.

⁷³² The zetetic method may have been practised in the Alexandrian synagogue according to David Runia, 'Secondary,' 48. The importance of the synagogue setting is also highlighted by Nikiprowetzky, *Commentaire*, 170-80; and Borgen and Skarsten, 'Quaestiones'.

⁷³³ Philo's report on the expository activity of the Therapeutae notes that the president of the company discusses (ζητεῖ) some questions arising in the Holy Scriptures or solves (ἐπιλύεται) one that has been propounded by someone else. Additionally, διαλέγομαι 'discuss,' when used about expository activity, probably refers to the zetetic method (see *Cent* 31, 79; *Spec* 2.62; *Mos* 2.215). See also Borgen, *Philo*, 160.

⁷³⁴ The same question as to why Adam was created last is prevalent in rabbinic literature, for example, Gen. Rab. 8.1ff.; Lev. Rab. 14.1; y. Sanh. 4.9.

⁷³⁵ Lieberman, *Hellenism*, 48; Borgen, *Philo*, 161. Further examples include t. Sanh. 8.9; Mek. Exod. 12.2. See Daube, 'Rabbinic'; 'Alexandrian Methods of Interpretation and the Rabbis, 1953,' in *Essays in Greco Roman and Talmudic Literature*, ed. by H. A. Fischel (New York: KTAV, 1977), 165-82; see also Jacques Cazeaux, *Philon d'Alexandrie: De la grammaire à la mystique*; CaESup 44 (Paris: Editions de Cerf, 1983), 88; 'Philon d'Alexandrie, exegete,' *ANRW* 21.1:156-226.

⁷³⁶ Jean Pépin, *Mythe et Allégories: Les origines grecque et les contestations judéo-chrétiennes* (Paris: Aubier, 1958), 221-231.

⁷³⁷ Raphael Loewe, *The 'Plain' Meaning of Scripture in Early Jewish Exegesis* (London: Institute of Jewish Studies, 1960), 143-44.

⁷³⁸ This method was employed by the third century BCE commentator Sosibius, who remarks, in response to an issue in *Il.* 11.363, where it appeared senseless to them that in the presence of Achilles, Diomedes and Ajax, Nestor should be represented as more vigorous than they, though he was more advanced in years. 'Of these

9.6: ‘And they came before Moses and before Aaron on that day.’ R. Josiah⁷³⁹ said: ‘If Moses did not know, is it possible that Aaron would?’ (Sipre Num; b. B. Bat. 119b) But the verse is to be inverted (סרסרו) and expounded, so that the men first came to Aaron who did not know and then they came to Moses. It seemed unreasonable to them that the people whose question Moses failed to answer would consult Aaron on the same subject. They solved the problem by means of rearrangement of the verse. With regards to word order, rule 11 of R. Eliezer, *Siddur she-neḥlak*, states that where in the text a clause or sentence not logically divisible is divided by the punctuation, the proper order and the division of the verses must be restored according to the logical connection.

The 29th rule of R. Eliezer is *gematria*, which is the computation of the numeric value of letters. The classic example of this is taken from Gen 14.14, where the number 318 (servants of Abraham), has the numeric value of אֱלִיעֶזֶר, taken to mean that Abraham only had Eliezer with him.⁷⁴⁰

Thirdly, *diairesis*, trying out different word divisions, is the last of R. Eliezer’s rules (*notarikon*). For example, in Sipra to Lev 2.14, the word כֶּרְמֶל is to be interpreted by מֶלֶךְ רֵךְ, in other words, the word is broken in two parts and the letters of the first part are transposed.⁷⁴¹ In Gen 41.43, אֲבִרָךְ is interpreted by R. Judah as אֲבִי רֵךְ.⁷⁴²

accusations then, we can absolve the Poet by resorting to the anastrophe,’ Athen, *Dein.* 11.493d, as cited by Lieberman, *Hellenism*, 65.

⁷³⁹ Rabbi Josiah was active in the second century CE.

⁷⁴⁰ B. Ned. 32a; Gen. Rab. 43.2.

⁷⁴¹ *Notarikon* can also use anagrams, see y. Naz. 7.2, 56b; b. Mo‘ed QatI. 9b.

⁷⁴² Sipre 2.1 includes a strong objection raised by R. Jose of Damascus to this interpretation.

The unique point in Philo's *Quaestiones* is the centrality of the question to the work. In *QG*, the question frames the work and provides its structure. Philo was familiar with Alexandrian literary criticism and commentators on Homer. Philo's work has parallels with these forerunners. This is unsurprising, as Hellenistic Jewish scholarship was heavily influenced by the Alexandrian academic world, with its emphasis on philology and Homeric scholarship. Philo applied these models to his interpretation of the Pentateuch, despite little particular interest in philology. Philo's *QG* demonstrates one way the genre of *zētēsis* could be applied to the biblical text, and follows Demetrius by analysing the Pentateuch via the question and answer method, and providing allegorical solutions. Thus, Hellenistic Jews found the Homeric questions to be a useful tool to apply to their interpretation of the biblical text.

6.5 Legal *zētēsis*

One other matter which needs to be discussed is that of legal *zētēsis*, which may be closely aligned to another sense of שָׁרָר in the Tanak and the DSS, legal investigation. In Athens, ζητήται (investigators) were appointed to inquire into breaches of law. There are three cases which mention these investigators, as early as the fifth century BCE: they are assigned to look into the mutilation of Hermes and religious offences (*And.* 1.40; cf. 1.14, 36). In the other two instances, the investigators were appointed to look into charges that individuals had taken unlawful possession of public property (*Lys* 21.16; *Demosth. Or.* 24.11). The term ζήτησις was in use towards the end of the fifth century BCE in a legal setting.

George Parsenios notes that Athenian legal procedure had an investigative process (ζήτησις).⁷⁴³ Such an investigation drives the plot of *Oedipus Rex (OR)*, and Parsenios argues for a similar plot device being employed in the Gospel of John. The commission of investigators (ζητηταί) are appointed to investigate a crime of public import and the public summoned to provide information to the commission. Thus:

Sophocles founded his exposition of Oedipus' self-discovery on the Athenian process of ζήτησις – the proceedings of a publicly-appointed commission of ζητηταί or inquisitors charged with investigating a crime of public import committed by a person unknown and gathering information that would identify the criminals and lead to their prosecution.⁷⁴⁴

The ζήτησις in *OR*, as well as in the legal procedures of ancient Athens, was not a trial *per se*, but an investigative process that could lead to a trial. Such usage is far removed from the exegetical sense of ζητήσις, but must be considered when examining how NT authors used the term. For example, in Acts 25.20, ζήτησις is used with the meaning of a legal inquiry. As I aim to demonstrate in my study of Acts, this fits with Luke's use of the term, with the law in question being the Jewish law.

6.6 Conclusions on the genre of zētēsis

The tradition of literary criticism of Homer dates back to the sixth century BCE, and provides the source for ζήτησις. The genre, which began as an exegetical enterprise, treating moral issues, inaccuracy, grammar, style, and rhetoric expanded to be used in the fields of philosophy, natural science, and medicine, among others. Ζήτησις is

⁷⁴³ Parsenios, *Rhetoric*, 42.

⁷⁴⁴ R. G. Lewis, 'The procedural Basis of Sophocles' Oedipus Tyrannus,' *GRBS* 30 (1989): 41-66, (50). The term ζήτησις occurs eight times in *Oedipus Tyrannus*, and a further five times in Sophocles's other plays.

suited to biblical exegesis, as showcased by Demetrius and Philo.⁷⁴⁵ Additionally, there are linguistic and stylistic links between ζήτησις and midrash. The question and answer genre was so flexible that it could be found in the classroom, the symposium, and even banquets. It was however, especially useful for exegeting a text, which is how it was used by Hellenistic Jewish authors. This, coupled with the process of ζήτησις in Athenian legal procedure, meant it could be used by NT authors to treat not only the biblical text, but also matters of Jewish law, even more so when the two combined.

6.7 Summation of the argument

The dissertation has prior to this chapter discussed the use of דרש and מדרש in the Tanak, the DSS, Ben Sira, and the Mishnah, comparing and contrasting their usage within those texts and groups of text, and noting a trend towards the use of דרש with a sense of textual interpretation. In the latest of these texts, the Mishnah, while it is still not used exclusively with this sense, דרש is used in a textual-hermeneutical sense in the vast majority of cases (23 out of 27). Having established this, the next step for the dissertation was to bring these findings to the Hellenistic world, beginning with the LXX.

In order to bring this into conversation with the Hellenistic world, the first step was to examine the translation of דרש in the LXX. As may have been expected, the most common term to translate דרש was ζητέω and its cognate ἐκζητέω. Parallels with the related term zētēsis were examined. Zētēsis, which has its origins in defence

⁷⁴⁵ The genre was also used by later Christian commentators, notably Jerome; see Kamesar, *Greek*.

of Homer, was a popular discipline in the ancient Hellenistic world. From its early exponents who defended Homer against critics, the question and answer format of *zētēsis* was used to interpret texts and expanded into a variety of genres. From the perspective of this dissertation, the exegetical use of *zētēsis* to examine moral issues, inaccuracy in the work of Homer, grammar, style, and rhetoric bears some similarity to rabbinic exegesis.

Of particular interest, are the works of Demetrius the Chronographer, and Philo of Alexandria's *QG* and *QE*, both of which used the genre of *zētēsis* to interpret the biblical text. Demetrius asked questions of the LXX, seeking to respond to 'problems' in the biblical text, in a similar vein to Aristotle's defence of Homer. Philo's works were particularly solution-focused. Philo viewed the text as a problem to be solved and *zētēsis* was one method he used to draw out the allegorical meaning of the text.

Some parallels between the use of שרר and the genre of *zētēsis* have emerged in the study. שרר occurs in a textual-hermeneutical sense in the DSS, Ben Sira, and especially in the Mishnah. *Zētēsis* has its origins in exegesis, and in Philo's *QG* and *QE*, the question and answer format was used to interpret the biblical text allegorically. Philo's work includes techniques familiar from some of the rules of rabbinic exegesis outlined by Rabbi Eliezer. Secondly, in the DSS, and the Mishnah, שרר occurs with the sense of legal investigation. Again parallels may be drawn with the legal *zētēsis* of the Greek world, which was an investigative process which could lead to a trial.

It is possible to conclude at this point that פסוק was used in a textual-hermeneutical sense in texts of Second Temple Judaism, and while at the time of the Mishnah, this was not the exclusive sense of פסוק, it was most frequently used in this sense. Secondly, the genre of *zētēsis*, which has linguistic parallels with Midrash, offers a bridge between the two worlds.

The next step will be to bring the results of the dissertation to this point to the NT. In the NT, the term ζήτησις occurs seven times (John 3.25; Acts 15.2, 7; 25.20; 1 Tim 6.4; 2 Tim 2.23; Titus 3.9), with the related term ζητήματα occurring five times, all in Acts (Acts 15.2; 18.15; 23.29; 25.19; 26.3). It is Luke's use of the terms ζήτησις and ζητήματα in Acts which provide the focus of the next chapter.

7 ‘That they shall seek God’: Use of ζήτησις (Seeking, debate) in Acts 15

The next step in this dissertation is to bring the findings of the previous chapters to the NT, specifically the Acts of the Apostles. Acts has been chosen due to the occurrences of ζήτησις in this book, especially in one of its key passages, the Council of Jerusalem (Acts 15.1-22).

It might be expected, considering the evidence of the previous chapters, that ζήτησις would carry the sense of textual interpretation; however, analysis of the use of ζήτησις and ζήτημα in Acts will demonstrate that where Luke uses these terms matters of Jewish laws are the focus of the debate. Thus, while שׁוּרר has been used in a textual-hermeneutical sense, and while the genre of zētēsis has been brought to bear on the biblical text by Philo and Demetrius, in Acts, while Torah may be an object of ζήτησις (debate), that debate focuses on questions (ζήτηματα) of Jewish law. For this reason it might be considered more appropriate to view its usage through the lens of the legal-instructional model. Yet, this model does not fit entirely neatly with the sense of zētēsis as legal investigation, or a pre-trial investigation.

Such a divergence is in some ways fitting, as it is indicative of the problems with attempting to fit the study of Midrash and the NT into neat categories. It is also perhaps indicative of the limitations of a word study approach to the question. Yet, the approach does have merit. It allows for an understanding of how the worlds of Midrash and zētēsis form part of the background of Acts, and how Luke borrows from both of these worlds in his work. This chapter will examine how Luke uses terms related to this dissertation, with a particular focus on ζήτησις in Acts 15.

7.1 Introduction

The purpose of this chapter is to examine how Luke uses terms related to $\Psi\eta\tau\tau/\zeta\eta\tau\acute{\epsilon}\omega$ in Acts. Two key points provide a focus for this discussion: firstly, the author's use of $\sigma\upsilon\zeta\eta\tau\acute{\epsilon}\omega$ in Acts 6.9 and 9.29, a term which also carries legal significance for Luke, with both occurrences relating to debates on the law of Moses. Secondly, Luke's use of $\zeta\eta\tau\eta\sigma\iota\varsigma$ and $\zeta\eta\tau\eta\mu\alpha$ to describe the debate at the Council of Jerusalem in Acts 15 is significant, as it describes a legal debate which cuts to the very foundation of who can be a Christian, a debate which centres on Torah. This is the first occurrence of these terms in the narrative and remains consistent with Luke's use of the term throughout Acts to describe debates which centre on Jewish law. Luke's use of the term $\zeta\eta\tau\eta\sigma\iota\varsigma$ (Acts 15.2, 7) to describe the debate which takes place at the Council suggests most immediately a debt to the Greek genre that bears the same name. Deeper analysis brings to light that $\zeta\eta\tau\eta\sigma\iota\varsigma$ has much in common with midrash. It is significant that the two recorded responses to the ' $\zeta\eta\tau\eta\mu\alpha$ ' posed in Acts 15.2 come in the form of divine revelation (Peter), and scriptural support (James). The other occurrences of $\zeta\eta\tau\eta\sigma\iota\varsigma$ (25.20) and $\zeta\eta\tau\eta\mu\alpha$ (18.15; 23.29; 25.20; 26.3) in Acts confirm that Luke uses the term with reference to the Jewish law. For Luke, the question of Gentile admission to the Christian community is therefore a matter of Jewish law, and as a consequence the Apostolic Decree (Acts 15.20, 29) must regulate the Gentile's relationship with that law.

The Council of Jerusalem falls at the central point of the narrative of Acts. Luke's use of $\zeta\eta\tau\eta\sigma\iota\varsigma$ at the central point of his narrative is highly significant. He uses it to describe the debate which is central not only to the Council, but to Acts as a whole. I will argue that, while the term is taken from Greek literature, it is used by

Luke to describe a legal debate, in which the question at issue is whether Gentiles need to be circumcised and follow the law (customs) of Moses in order to be saved. This study aims to unpack the significance of the choice of this term, drawing on knowledge of the Greek genre as well as what has been uncovered about the sense of שרר in the texts examined thus far. Luke's use of ζήτησις carries a significance largely overlooked by previous scholarship. When used in Luke-Acts, the term indicates a discussion on Jewish law, and as the debate at the Council of Jerusalem will show, such a dispute is resolved by divine revelation and the Jewish Scriptures.

Before focusing on the debate at the Council of Jerusalem, the use of ζητέω in Acts will be investigated, followed by its cognate συζητέω.

7.2 The Sense of ζητέω in Acts

The verb ζητέω occurs ten times in Acts, with an additional three occurrences of ἐπιζητέω, and a single occurrence of both ἀναζητέω and ἐκζητέω. In addition there are two occurrences of συζητέω, which will be considered separately. The usage of ζητέω in Acts largely follows that of the LXX, with the verb being used in the sense of 'to search' or 'to look for', with objects including Paul (Acts 9.11), Peter (Acts 10.19, 21); or in the sense of seeking 'to cross to Macedonia' (Acts 16.10), 'to kill Paul' (Acts 21.31), 'to flee the boat' Acts (27.30). In Acts 17.27, God is the object.

During his address in the Agora in Athens (17.16-34), Paul exhorts those listening 'to seek God' (ζητεῖν τὸν θεόν),⁷⁴⁶ a call which is the climax of his address.

There are two influences on Luke's use of the term in this setting: the LXX/Tanakh,

⁷⁴⁶ The majority of Byzantine texts read ζητεῖν τὸν κύριον; while the Codex Bezae reads ζητεῖν τὸν θεῖον. The majority reading is τὸν θεόν which I shall follow.

and philosophical language. Various scholars have highlighted either or both of these influences in their writing, from Dibelius arguing that ‘the pious man in the Old Testament seeks God in order to serve him’⁷⁴⁷ to Barrett arguing that Luke has gone out of his way to hint at an analogy with Socrates.⁷⁴⁸ However, Barrett limits this analogy by also stating that Luke restricts his use of philosophy to those themes which it shares with the Tanak. The location of the discussion, the Agora, does provoke the memory of Socrates.

Seeking God is a main theme of the Tanak, for example, Isa 51.1; 55.6. As noted in the study of the translation of שׁוֹרֵךְ in the LXX, God is the most frequent object of the search (ζητέω). Seeking God is a challenge presented to Israel in various ways in the Tanak (e.g. Deut 4.29; Isa 45.19; 51.1; 55.6), though the supposition in many contexts is that seeking God (the Lord) means responding to special revelations revealed through the prophets. Gentiles are classified as being ignorant of the true God and praying to gods that cannot save (e.g. Isa 45.20; Ps 140.2-3; Jer 10.1-16; Wis 13.1-10). In the Tanak, some Gentiles were drawn to the God of Israel and expressed trust in God because of what they heard about God’s dealing with Israel (e.g. Jos 2.1-11; 2 Kings 5.1-18). But there are no exact parallels to Paul’s declaration that Gentiles may seek God and perhaps reach out for him and find him.⁷⁴⁹

In the Tanak, seeking the Lord is a matter of will; the intellectual side is brought out in Hellenistic Judaism: e.g. Philo, *De Spec Leg* 1.36 ‘seeking the true God’. Dibelius claims that, in the context of Acts 17, ζητεῖν does not have its typical Tanak meaning of an act of will, trusting and obeying God, but rather its characteristic

⁷⁴⁷ Martin Dibelius, *Studies in the Acts of the Apostles* (London: SCM, 1956), 32.

⁷⁴⁸ C. K. Barrett, *A critical and exegetical commentary on the Acts of the Apostles*; ICC; 2 vols. (Edinburgh: T & T Clark, 1994), 2:846.

⁷⁴⁹ David G. Peterson, *The Acts of the Apostles*; PNTC (Grand Rapids: Eerdmans, 2009), 498. The Council of Jerusalem holds that Gentiles may seek the Lord and are called by his name (Acts 15.17).

Greek meaning of seeking out and examining what is true,⁷⁵⁰ something seen in the works of Plato (*Apol* 19b, 23b, *Rep*, 444a). It is difficult to separate the two and Luke does not appear to do so in this passage. Seeking God is not meant to be a simple task, but as Barrett observes, ‘we do well to ask whether Luke had seen as clearly as modern students the difference between the biblical and philosophical search.’⁷⁵¹ While both the philosophical and theological worlds used the same words, it is reasonable to question whether they meant the same thing in every situation. To analyse the distinctions too sharply may mean missing Luke’s point. It is not unreasonable to propose that Luke was borrowing from both the Jewish and Hellenistic worlds, as can be seen throughout his composition. With respect to Acts 17.27, Paul is exhorting the Gentiles to seek God, for this is the desired outcome of the Council of Jerusalem (Acts 15.1-21). Seeking God leads to salvation for the one who finds him. This is very much in the tradition of the Tanak. For this reason, it must be concluded that Luke’s use of ζητέω is in line with that of the Tanak/LXX, while also being unafraid to borrow from the Greek philosophical world, that which gave birth to ζήτησις.

7.3 The Meaning of συζητέω in Acts

A cognate of ζητέω that merits special attention is συζητέω. The verb συζητέω occurs twice in Acts (6.9; 9.29). The first occurs during a debate between some members of the synagogue of the Freedmen and Stephen. The second refers to a discussion which took place between Paul and Hellenistic Jews in Jerusalem. The nominal form, συζήτησις, is found in some manuscripts at Acts 28.29, where,

⁷⁵⁰ Dibelius, *Studies*, 32.

⁷⁵¹ Barrett, *Acts*, 2:844.

following a discussion between Paul and the Jews who gather at his residence in Rome, on leaving, the Jews have a debate among themselves. Consequently, Barrett⁷⁵² labels the verb as Lukan, though the term occurs 10x in the NT, six of which are in Mark, with the remaining four in Luke (22.23; 24.15⁷⁵³) and Acts.

In Acts 6.9 συζητέω occurs during the discussion between Stephen and members of the synagogue of the Freedmen. Luke uses συζητέω to typify discussions between Stephen and his inquisitors, which led to the accusation that Stephen was speaking (λαλέω) ‘blasphemous words against Moses and God’ (Acts 6.11). Stephen’s attitude to the law is being questioned, with ‘Moses’ denoting the law or precepts of the law.⁷⁵⁴ Though the reader is not told precisely what Stephen’s teaching was,⁷⁵⁵ in Acts 6.13 the accusation is brought that he was speaking against the law. Stephen Wilson notes that

the second part of the accusation against Stephen, that he said that Jesus ‘will change the customs which Moses delivered to us,’ is obscure. It may refer to the introduction of a new interpretation of the Torah or a rejection of circumcision.⁷⁵⁶

Luke maintains that this is a false charge.

The term ἔθος has been the subject of some debate among scholars. Stephen Westerholm questions whether ἔθος could signify an extra-biblical tradition – as in Acts 26.3; 28.17.⁷⁵⁷ However, in Acts 15.1, where ἔθος is paralleled with ‘the law’,

⁷⁵² Barrett, *Acts*, 1:470.

⁷⁵³ In Luke 22.23 – discussion of disciples as a result of Jesus’s statement of the man by whom the Son of Man will be handed over κατὰ τὸ ὥρισμένον (‘as it was determined’), this seems to be a substitute for the Markan καθὼς γέγραπται (14.21). It is quite possible this denotes a discussion about interpretation of Scripture. Luke 24.13-35, the interpretation of Scriptures is one of the disciples’ problems. In Luke 24.15, the evangelist suggests that at least part of the disciples’ discussion is about (some parts of) the Scriptures.

⁷⁵⁴ Bart J. Koet, *Five Studies on Interpretation of Scripture in Luke-Acts*; SNTA 14 (Leuven: Leuven University Press, 1989), 76.

⁷⁵⁵ Lack of precision with regard to the content of speeches is a Lukan feature – see Luke 24.13-35; Acts 15. 20.

⁷⁵⁶ Stephen G. Wilson, *The Gentiles and the Gentile Mission in Luke-Acts* (Cambridge: University Press, 1973), 132.

⁷⁵⁷ See Stephen Westerholm, *Jesus and Scribal Authority*; ConBNT 10 (Lund: CWK Gleerup, 1978), 18.

Luke reads the terms interchangeably. Similarly, in Acts 21.21, forsaking Moses is a failure to circumcise and walk according to the customs. The connection of Moses to the law is typical of Luke.⁷⁵⁸ The use of the ‘custom’ in connection with the law is particular to Luke. The term ἔθος can mean ‘habit’ (Luke 22.39) or refer to Roman customs (Acts 25.16) – though usually Jewish customs are in mind. On three occasions the custom is specified – priestly customs (Luke 1.9), circumcision (Acts 15.1), and Passover (Luke 2.42). Others refer in a general way to a Jewish way of life – customs (Acts 16.21; 21.21; 20.3); customs of our fathers (Acts 28.17); customs of Moses (Acts 6.14; 15.1; see 21.21). The association of the concepts customs and law is without parallel in early Christian literature with reference to Judaism.⁷⁵⁹ The association of two customs amounts to an identification in the parallel versions of the charges against Stephen (6.11-14), the demands of the circumcision party (15.1, 5), and charges against Paul (21.21), reference to specific legal requirements in Luke 1.9; 2.42, and in the verbal phrase in Luke 2.27 (κατὰ τὸ εἰθισμένον τοῦ νόμου). For Luke, ἔθος and νόμος are interchangeable and he moves naturally from one to the other in describing essentially the same phenomenon. One can conclude that when he writes customs of Moses, Luke is referring to the law. The exact nature of the accusation against Stephen, that he said that Jesus ‘will change the customs which Moses delivered to us,’ remains obscure. While some scholars refer to the introduction of a new interpretation of the Torah or a rejection of circumcision, this can only be speculative. Alternatively, it may be that Stephen raised the ire of the Hellenists as he was simply preaching Jesus as the fulfilment of the Scriptures. As Bauckham argues:

⁷⁵⁸ Stephen G. Wilson, ‘Law and Judaism in Acts,’ SBLSP 19, ed. by Paul J. Achtemeier (Atlanta: Scholars, 1980), 251-65, (251).

⁷⁵⁹ Wilson, ‘Law,’ 252.

Perhaps an insistence in interpreting the Law in the style of and with the authority of Jesus lies behind the (mis)perception of some in the Hellenistic synagogues that Stephen was attacking the Law (Acts 6.10, 13-14).⁷⁶⁰

Acts 6.11 suggests the charges may have been trumped up, with the Hellenists inducing men to say Stephen spoke blasphemous words. Although the precise content of Stephen's teaching remains elusive, one may conclude that the term relates to debate on the law (or customs) of Moses.

In Acts 9.29, Paul, having arrived in Jerusalem, speaks boldly of the Lord (παρρησιάζομαι) among the people of Jerusalem. He debates (συζητέω) with the Hellenists, but, as Luke succinctly tells us, they were attempting to put him to death. Here συζητέω is used in combination with παρρησιάζομαι (9.28). The latter verb frequently appears in the context of speaking in the synagogue, and often exposition or preaching is mentioned, and usually the speaker is preaching about Christ.⁷⁶¹ Acts 9.28-29 describes Paul almost in the same manner as 9.27, which refers to Acts 9.20 where Paul is preaching in the synagogue. As Koet concludes: 'Considering the context of preaching and expounding in the synagogue, it is clear that συζητέω here is related to this.'⁷⁶² This indicates a clear connection between συζητέω and preaching the Scriptures (in relation to Christ).

It is clear that Luke wishes to make some parallels between Paul and Stephen. Saul, when he returns to Jerusalem, assumes the role of Stephen, debating with the Hellenistic Jews, who plot to kill him (9.29; 6.9-11).⁷⁶³ The verbs λαλέω (6.10 and

⁷⁶⁰ Richard Bauckham, 'James and the Jerusalem Community,' in *Jewish Believers in Jesus*, ed. by Oskar Skarsaune and Reidar Hvalvik (Peabody: Hendrickson, 2007), 55-95, (65).

⁷⁶¹ John Bowker, 'Speeches in Acts: A Study in Proem and Yelammedenu Form,' *NTS* 14 (1967-68): 96-111.

⁷⁶² Koet, *Five*, 60.

⁷⁶³ Robert C. Tannehill, *The Acts of the Apostles*, vol. 2 of *The Narrative Unity of Luke-Acts: A Literary Interpretation* (Minneapolis: Fortress, 1994), 2:114.

9.29) and συζητέω appear in both passages.⁷⁶⁴ It may also be the case that Paul takes up the debate with the same opponents who engaged Stephen in debate in Acts 6.9, as Ben Witherington posits,

Paul was speaking and arguing in the name of the Lord with the ‘Hellenists’, presumably in the synagogue of the freedmen mentioned in Acts 6:9, which involved Greek-speaking Jews from Paul’s native region of Cilicia.⁷⁶⁵

The identity of their opponents, the Hellenists is unclear. One theory proposes that they were the members of the Greek-speaking synagogues in Jerusalem (Acts 6.9), from which the Jewish-Christian Hellenists had themselves emerged (see 9.29).⁷⁶⁶ Joseph Tyson argues that they are Greek-speaking peoples.⁷⁶⁷ According to this reading, and the clues that Luke gives us in Acts 6-11, it appears that in Acts 6 and 9, Luke uses the term ‘Hellenist’ to refer to Diaspora Jews living in or around Jerusalem (or their descendants) for whom Greek is their spoken language, and who attended synagogues where Greek was the language of worship.⁷⁶⁸

There is nothing to suggest that the term Hellenist relates to Gentiles. The term is based on a verb (ἐλληνίζω), which means to live like a Greek, with similar historical customs and culture.⁷⁶⁹ In Acts 9.29, the term probably refers to Hellenistic Jews, as opposed to Palestinian Jews; while in Acts 11.20, where Antioch is the setting, the term more than likely refers to Greeks as opposed to Jews. Wilson argues that the Hellenists probably attracted this name because they were more open to Greek influence.⁷⁷⁰ Belonging to the Synagogue of the Freedman may mean that they

⁷⁶⁴ F. Scott Spencer, *Journeying Through Acts: A Literary-Cultural Reading* (Peabody, MA: Hendrickson, 2004), 111.

⁷⁶⁵ Ben Witherington III, *The Acts of the Apostles: A Socio-Rhetorical Commentary* (Grand Rapids: Eerdmans, 1998), 257.

⁷⁶⁶ Martin Hengel, *Acts and the History of Earliest Christianity*; transl. John Bowden (London: SCM, 1979), 73.

⁷⁶⁷ Joseph B. Tyson, *Images of Judaism in Luke-Acts* (Chapel Hill: University of South Carolina Press, 1992), 112.

⁷⁶⁸ Witherington, *Acts*, 242.

⁷⁶⁹ Wilson, *Gentiles*, 140.

⁷⁷⁰ Wilson, *Gentiles*, 150.

were former slaves who had been freed.⁷⁷¹ It is peculiar that the Hellenists, and not the Palestinian Jews, first object to Stephen's views, unless one can assume that they were not so influenced by the freer attitude of Hellenistic Judaism, or that when in Jerusalem they maintained a strict line. This is especially the case if one infers from the pairing of opposites Hebrews/Hellenists that the Hellenists had an un-Jewish attitude, which in view of their being prosecuted, proved itself to be pronounced antinomianism.⁷⁷²

Returning to the focus of this study, the Hellenists in Acts 6.29 and 9.29 are certainly Jewish, and are protecting their interpretation of the laws of Moses and customs of their faith against the alternative viewpoints promoted by Stephen and Paul. The debates in which they engage are focused on the law, a point reinforced by Luke's use of συζητέω, as well as the context. This verb relates to the interpretation of the law in Acts.

In the final scene of Acts (28.29), following a discussion with Paul in his Roman base, the Jews departed and had συζήτησις (debate) among themselves. This debate most likely centred on Paul's last words, which were a citation of Isa 6.9-10. According to Bart Koet: 'It is quite apparent that the scribe who added these words suggests that when the Jews are disputing among themselves, the debate about these verses is continuing.'⁷⁷³ The choice of noun is not haphazard. In this case it is the nominal form of συζητέω which is used in connection to Scripture – a specific

⁷⁷¹ Mikael C. Parsons, *Acts*; Paideia (Grand Rapids: Eerdmans, 2008), 86.

⁷⁷² Walter Schmithals, *Paul and James*; transl. Dorothea M. Barton; SBT 46 (London: SCM, 1965), 27.

⁷⁷³ Koet, *Five*, 60.

scriptural quotation from the Prophets having been cited by Paul. This provides evidence of the link between συζητέω and Scripture for Luke and his community.⁷⁷⁴

Acts 28.29 does not appear in the WH. The δ text (byz g p vg.coss hcl*) adds the verse. The verse softens the picture of a general denunciation hurled at the backs of the departing audience.⁷⁷⁵ The addition has the support of some interpreters, who believe that the D-Text represents the correct understanding of the author's intention.⁷⁷⁶ The conventional text ends on an apologetic note, the D-Text on an eschatological note. Yet the addition leaves a certain pious taste, and indicates an editor ever too ready to intervene.⁷⁷⁷ It is most likely that Acts 28.29 was added by a later scribe, so that while it refers to a discussion related to a scriptural text, as it was a later addition, it would be prudent not to build too much on this verse.

Considering the use of συζητέω in Acts, it is plausible that this verb has the connotation of discussion about Scripture. Koet can say, 'In Luke 24.15 this possibility is of some importance. Luke suggests that at least part of the disciples' discussion is about (some parts of) the Scriptures.'⁷⁷⁸ While the two references to συζητέω in the Gospel of Luke (22.23 and 24.15) are not explicitly in reference to Scripture and its interpretation, neither can it be definitively ruled out. More importantly, where συζητέω or συζητήσις occur in Acts, law and/or Scripture is part

⁷⁷⁴ Zunz, *Gottesdienstlichen Vorträge*, noticed the possible connection between *darshan* and the Greek συζητήσις (see 1 Cor 1.20), and that Justin Martyr often uses συζητέω in the context of Jesus's discussion with the Pharisees, for example: *Dial* 102,5: 'For the power of His mighty word with whereby He always rebuked the Pharisees and Sadducees, and in fact all the teachers in your race who **disputed** (συζητέω) with Him'; 107,1 'it is written in the Memoirs that men of your race **disputed** with Him saying: An evil and adulterous generation seeketh after a sign, and no sign shall be given them, save the sign of Jonah [Matt 16.4]'; 120,5 'I do not enter into a **discussion** with you about the exact phrase'; 93,5 'you put whatever **questions** come into your mind, and you are at a loss what to say whenever you meet with a keen Christian'. Justin Martyr uses the term in respect to scriptural disputes, as seen most clearly in reference to the Matthean passage.

⁷⁷⁵ Pervo, *Acts*, 686.

⁷⁷⁶ Barrett, *Acts*, 2:1250-51 does not decisively exclude the D-Text as secondary, while he supports its viewpoint. Tannehill, *Narrative Unity*, 2:346-53 is concerned to refute the idea that this passage means the end of the mission to the Jews.

⁷⁷⁷ Pervo, *Acts*, 686.

⁷⁷⁸ Koet, *Five*, 60.

of the debate. In Acts 6.9, the Hellenist Jews take issue with Stephen's remarks on the customs of Moses; in Acts 9.29, Paul is arguing in the synagogue with Hellenist Jews; and in the final scene, the Jews continue a discussion after Paul quotes from Isa 6.9-10. When Luke uses the term συζητέω, he has Scripture (or law or the customs of Moses) and its interpretation in mind.

7.4 The meaning of ζήτησις in Acts

The focus of this section is Luke's use of ζήτησις to describe the debate at the Council of Jerusalem. Before focusing on the debate itself, I shall first describe Luke's use of ζήτησις in Acts, as well as considering the related term ζήτημα which, I contend, Luke reserves for questions relating to Jewish law. I will argue that Luke's choice of ζήτησις to describe the debate at the Council signifies that, for Luke, the Council is a legal debate (halakah), which must be answered by either divine revelation or Scripture. Finally, the purpose of and sources behind the Apostolic Decree will be investigated, as this Decree regulates the Gentiles' relationship to the law.

Having examined the term ζήτησις in detail in a previous chapter, this argument shall not be repeated here, where the focus is on the use of ζήτησις and ζήτημα in Acts. These terms have not garnered much comment, which is surprising as they describe the debate at the Council of Jerusalem, widely recognised to be the pivotal moment in the narrative of Acts. C. K. Barrett describes Luke's use of ζήτησις in Acts 15.2 as 'expected', adding that it never quite loses its sense of

inquiry.⁷⁷⁹ He notes that ζήτημα is a specific matter for ζήτησις.⁷⁸⁰ Commenting on Acts 15.7, Barrett describes ζήτησις as the search for truth through public inquiry and debate.⁷⁸¹ Jaroslav Pelikan notes⁷⁸² that later in the chapter another controversy leads to Paul and Barnabas splitting, yet he hesitates to conclude whether there was intended to be any theological significance in the variation of terminology between the στάσις καὶ ζήτησις of 15.2 and the παροξυσμός of 15.39. It is true here, too, that it was a ‘sharp contention’, so they separated from each other. Pelikan’s conclusion is that this disagreement did not call for a doctrinal condemnation or appeal to apostolic council.⁷⁸³ While he is correct to note the difference, as with other commentators, Pelikan has failed to notice the significance of Luke’s choice of ζήτησις. This investigation will demonstrate that Luke reserves the terms ζήτησις and ζήτημα for matters which relate to Jewish law. The debate at the Council concentrates on matters of Jewish law, and how this applies to Gentile converts. The response must be by appeal to Scripture, or divine revelation, as in the responses of James and Peter. Based on these interventions, the Council concludes that Gentiles are included in the people of God.

7.4.1 How does Luke use the term ζήτησις?

The term ζήτησις occurs three times in Acts (15.2, 7; 25.20 – the cognate συζήτησις is found in some MSS at 28.29). The focus of discussion falls on chapter 15, though, firstly, the use of ζήτησις and ζήτημα in Acts is investigated. The latter term occurs five times in Acts (15.2; 18.15; 23.29; 25.19; 26.3), the only occurrences in the NT.

⁷⁷⁹ Barrett, *Acts*, 2:700.

⁷⁸⁰ Barrett, *Acts*, 2:702.

⁷⁸¹ Barrett, *Acts*, 2:713.

⁷⁸² Jaroslav Pelikan, *Acts* (London: SCM, 2006).

⁷⁸³ Pelikan, *Acts*, 172.

As Acts 28.29 was discussed above, and the Council of Jerusalem, Acts 15.1-21, will be discussed below, focus here is limited to Acts 25.20. In 25.20 ζήτησις can be construed two ways: 1) ‘I was at a loss in a dispute on these things’; 2) ‘I was at a loss how to investigate such matters’. While Johnson⁷⁸⁴ prefers the second reading because of the offer immediately made to Paul, in my opinion, the text reads best in the first way, as the nominal form is used. ζήτησις here carries the sense of a judicial inquiry,⁷⁸⁵ but the matter, or questions, pertain to the Jewish religion and, more specifically, Jesus (Acts 25.19).

In the passage (Acts 25.13-22), Festus is consulting Agrippa about questions concerning the Jewish faith and Paul’s proclamation that Jesus is alive. Festus holds these questions to be beyond his competence; however, Paul refuses the offer to be sent to Jerusalem for trial, preferring instead to be sent to Caesar (Acts 25.21). Agrippa’s interest is piqued and he will be granted his wish to hear Paul. The debate in this instance concerns questions about Judaism. Festus recognises the charges as matters in which Roman law would not be involved, but charges in the Jewish way of life. Thus, Fitzmyer can say, ‘Luke uses the technical term *zētēsis*, equalling the Latin legal term *quaestio*, “Controversial question”, which had to be settled by judicial inquiry.’⁷⁸⁶ However, in Luke’s choice of term, my contention is the he is doing something more than using ζήτησις in the sense used in Greek literature. Luke retains the term exclusively for matters (questions/ζήτηματα) of Jewish law.

In its other occurrences in the NT, ζήτησις has more the meaning of ‘inquiry/discussion’, in the Greek sense. It occurs three times in the Deutero-Pauline

⁷⁸⁴ Luke Timothy Johnson, *The Acts of the Apostles*; SP 5 (Collegeville: Liturgical, 1992), 426.

⁷⁸⁵ Barrett, *Acts*, 2:1139: this is Barrett’s only comment on the use of ζήτησις here.

⁷⁸⁶ Joseph A. Fitzmyer, *The Acts of the Apostles: A New Translation with Introduction and Commentary*; AB 31 (New York: Doubleday, 1998), 750.

works: 1 Tim 6.4 (*'disputes about words'*, which detract from the teaching of the Lord); 2 Tim 2.23 (*'have nothing to do with stupid and senseless controversies'*); and Titus 3.9 (*'But avoid stupid controversies, genealogies, dissensions, and quarrels about the law, for they are unprofitable and worthless'*). Ζήτησις in the Pauline letters has a negative connotation; such discussions are disparaged as moving away from the more important matter of the teaching of the Lord. It has a sense of philosophical or philological inquiry, and so ζήτησις is to be explicitly avoided.

Ζήτησις is also found once in the Gospel of John: 3.25, *'now a discussion (ζήτησις) arose between John's disciples and a Jew about purification'*, its only appearance in the Gospels. In John, the subject matter is one of halakah, regarding purification in the context of Baptism. However, as this is the only occurrence of the term in John, it would be unwise to read too much into its usage, simply noting that for John purification (baptism) was a suitable subject for ζήτησις.

Returning to Acts 25.20, Parsons views Festus's remarks as an admission to his lack of knowledge and experience with certain matters of Jewish religion.⁷⁸⁷ Thus he appeals for help from Agrippa, who is not only a Jew but is acknowledged to have expertise in Jewish matters (Acts 26.3). More precisely, it is matters of Jewish law. To further support this argument, the occurrences of ζήτημα in Acts will be examined.

As the discussion which follows will outline, Luke reserves the term ζήτημα for questions which pertain to Jewish law. At its most basic level, ζήτημα is a specific matter for ζήτησις.⁷⁸⁸ Regarding Luke's use of the term in Acts, most commentators miss its significance, particularly with regard to discussion on the

⁷⁸⁷ Parsons, *Acts*, 334.

⁷⁸⁸ Plato, *Laws*, 1:630-631a; Barrett, *Acts*, 2:700; Ernst Haenchen, *The Acts of the Apostles: A Commentary*; transl. Bernard Noble and Gerald Shinn (Oxford: Blackwell, 1971), 445.

questions of Jewish law. Barrett describes the ζητήματα of Acts 15.2; 23.29; 25.19; 26.3 as ‘small and insignificant disputes, which sensible people would not consider’, believing that Luke uses the term in a pejorative sense.⁷⁸⁹ These are questions which are not important enough for a Roman court. While Barrett admits that νόμος is the authoritative basis of the Jewish religion, its appearance in Acts 23.29, simply denotes that for Rome, Christianity is a variety of Judaism.⁷⁹⁰ Luke Timothy Johnson makes a similar point about Acts 18.15, arguing that Luke is building a set of legal precedents to regard Messianists not as revolutionaries threatening Rome, but as a legitimate variation of Judaism.⁷⁹¹ In relation to Acts 26.3, Barrett does acknowledge that ζητήματα are the disputes which the Jews were known to have about the interpretation of their law,⁷⁹² without recognising that this is how Luke consistently uses the term.

Both Dunn and Fitzmyer, see ζητήματα as marking a distinction between Jewish and Roman law. Fitzmyer argues that such questions would be matters in which Roman law would not be involved, as Festus recognises (Acts 25.19),⁷⁹³ while Dunn argues that the purpose of the ζητήματα is to determine whether Christianity was an internal Jewish movement.⁷⁹⁴ He speculates that the question before Festus may be the controversial matter of Jesus’s resurrection, as suggested by Acts 4.2; 17.18, 32.⁷⁹⁵ Yet there is nothing in the text and no verbal connections between the verses cited, which definitively support such a claim. Furthermore, Bock determines that in Acts 18.15, the debate is over issues that reach back into Judaism and the

⁷⁸⁹ Barrett, *Acts*, 2:874.

⁷⁹⁰ Barrett, *Acts*, 2:1089.

⁷⁹¹ Johnson, *Acts*, 406.

⁷⁹² Barrett, *Acts* 2:1250.

⁷⁹³ Fitzmyer, *Acts*, 751.

⁷⁹⁴ James D.G. Dunn, *The Acts of the Apostles*; Epsworth Commentaries (Peterborough: Epsworth, 1996), 322.

⁷⁹⁵ Dunn, *Acts*, 322.

Hebrew Scriptures.⁷⁹⁶ Similarly, Parsons argues that ζητήματα are disagreements of an intra-Jewish religious nature.⁷⁹⁷

There is some truth in what the commentators say, yet I would argue that there is something more behind Luke's choice of vocabulary, and the not insignificant fact that it appears first at the Council of Jerusalem, where, as in other instances (notably Acts 25.19, 20), it is closely related to ζήτησις. The object of ζητήματα in Acts 18.15 and 23.29 is ὁ νόμος. In Acts 18.15, Gallio is unwilling to judge the questions as they concern the words, names and laws of Judaism. In Acts 23.29, Claudius Lysias, captain of the guards, in a letter to Felix the governor, states that Paul has been accused concerning questions of Jewish law, something which Claudius Lysias does not believe merits death. In Acts 25.19, the ζητήματα concern ἰδίας δεισιδαιμονίας which is translated as 'their own religion' and about Paul's claims that the dead man Jesus is alive. The term δεισιδαιμονία appears only here in the NT; LSJ defines the term as 'fear of the gods' religious feeling', with a second definition reading, in a negative sense, 'superstition'. The term is found sixteen times in the works of Plutarch, where it is best translated in the second sense 'superstition' (for example, *Publicola* 21.1; *De super* 2, 3, 4, 6, 9, 10, 12; *Quaes Rom* 25, 55). Plutarch argues that 'of all fears, none so dozes and confounds as that of superstition' (*De super.* 3) and further that 'atheism hath no hand at all in causing superstition; but superstition not only gave atheism its first birth, but serves it ever since by giving it its best apology for existing, which, although it be neither a good nor a fair one, is yet the most specious and colorable' (*De super.* 12). The meaning of δεισιδαιμονία is related to fear of God and superstition, in other words religion, carrying a potentially negative sense, hinting that Festus is somewhat sceptical regarding Paul's claims,

⁷⁹⁶ Bock, *Acts*, 582.

⁷⁹⁷ Parsons, *Acts*, 319, 334, 338.

which relate to a religion about which he remains unknowledgeable, hence his request for aid from Agrippa.

In the last instance, Acts 26.3, Paul defends himself before Agrippa, whom he declares to be knowledgeable of all customs (ἐθῶν) and questions (ζητημάτων) of the Jews. As noted above, Luke holds ἔθος and νόμος to be synonymous, so it is possible to conclude that even though ζητημάτων does not have a particular object in this instance, questions about Jewish law may be inferred, particularly as Paul is requesting to be heard before a Roman court and not be tried under Jewish law in Jerusalem.

From this examination of the occurrences of ζητήματα in Acts, it has emerged that what Luke has in mind when he uses the term is a debate centred on matters of Jewish law. It is in this context that Luke describes the debate (ζήτησις) which occurs at the Council of Jerusalem. This debate, which is central to the narrative, both in its location and due to the wider implications of the spread of the Way to include Gentiles, responds to the question as to whether Gentiles need to be circumcised and follow Torah, and how that relationship with Torah might be regulated.

7.4.2 What is the Debate at the Council of Jerusalem About?

In Acts 15.1-21, Luke narrates his version of the Council of Jerusalem. An issue arises when certain individuals (τινες) come from Jerusalem (to Antioch) teaching that ‘unless you are circumcised according to the law of Moses, you cannot be saved’ (Acts 15.1). Luke states that ‘Paul and Barnabas had no small amount of dissension

and debate with them, they appointed Paul and Barnabas and some of the others to go up to the apostles and the elders in Jerusalem concerning this question.’ (γενομένης δὲ στάσεως καὶ ζητήσεως οὐκ ὀλίγης τῷ Παύλῳ καὶ τῷ Βαρναβᾶ πρὸς αὐτούς, ἔταξαν ἀναβαίνειν Παῦλον καὶ Βαρναβᾶν καὶ τινὰς ἄλλους ἐξ αὐτῶν πρὸς τοὺς ἀποστόλους καὶ πρεσβυτέρος εἰς Ἱερουσαλὴμ περὶ τοῦ ζητήματος τούτου – Acts 15.2). In Jerusalem, on reporting all God had done with them, Paul and Barnabas meet opposition from Pharisees who argue that the Gentiles must be circumcised and keep the law of Moses. The apostles and elders meet to discuss the matter. After there had been much debate (πολλῆς δὲ ζητήσεως), Peter addresses the gathering, reminding them that he was the one through whom the Gentiles heard the message, and that God had granted them the Holy Spirit, making no distinction between ‘them and us’ (Acts 15.9). He concludes that both Gentile and Jewish Christians will be saved by grace. Following Peter’s address, the assembly kept silent and listened to Paul and Barnabas as they told all the signs and wonders God had done through them among the Gentiles, though Luke does not record their words. Finally, James replies, saying that Simeon has recounted how God looked favourably on the Gentiles, taking a people from among them in his name, which agrees with the words of the prophets, citing

After this I will return and rebuild the tabernacle of David, which has fallen; from its ruins I will rebuild it, I will restore it, so that the rest of humankind may seek the Lord, even all the Gentiles over whom my name has been called, thus says the Lord who has been making these things from of old (Acts 15.16-18).

James decides that the Gentiles who have turned to God should not be troubled, apart from four stipulations, to abstain from that defiled by idols, from fornication, from that which is strangled, and from blood.

Ernst Haenchen has written that

the Jerusalem Council has been described as the ‘turning point’, ‘centrepiece’ and ‘watershed’ of the book, the episode which rounds off and justifies past developments, and makes those to come intrinsically possible.⁷⁹⁸

This does not overstate the case; it is the decisive moment for the future of the mission to the Gentiles, making the decision about what they have to do to become Christians and outlining their relationship to the law of Moses. James Dunn can say:

In historical terms what was at stake was nothing less than the very existence of the new movement, both its identity and its unity – in part, whether what had begun in Jerusalem was going to remain in vital continuity with Jerusalem and all that Jerusalem represented, and whether the new outreach into the Gentile world now taken up as a life’s work by Paul was going to become something else.⁷⁹⁹

The Council decision is of fundamental importance for an understanding of Luke’s view of the gospel and the church.⁸⁰⁰ It is the decisive event in defining what road the followers of the Way will have to travel to become Christians, and defines the boundaries of the messianic people of God.⁸⁰¹ This section will discuss the content of and response to the debate at the Council and argue that, as a matter of Jewish law, the answer must come from divine revelation or appeal to Scripture. The Council’s decision is informed by Peter’s intervention (divine revelation), and James’s appeal to Scripture. Thus, the Gentiles are admitted to the community without having to be circumcised, and their relationship to the law of Moses is regulated by the Apostolic Decree.

The dispute which formed the basis for discussion at the Council was the question of whether or not Gentile Christians should be circumcised. The debate was provoked by individuals who had travelled to Antioch from Judea (15.1) and a group of converted Pharisees who ‘propose for discussion the proposition that it was

⁷⁹⁸ Haenchen, *Acts* 461.

⁷⁹⁹ Dunn, *Acts*, 195.

⁸⁰⁰ Barrett, *Acts*, 1:44.

⁸⁰¹ Richard Bauckham, ‘James, Peter and the Gentiles,’ in *The Missions of Jesus, Peter, and Paul*, ed. by Bruce D. Chilton and Craig A. Evans; NovTSup 115 (Leiden: Brill, 2005), 91-142, (118).

necessary that they should proclaim the keeping of the law of Moses'⁸⁰² (15.5). Luke gives no detail of the 'much discussion' which took place, but summarises the decisive speeches made successively by Peter (15.7-11), Paul and Barnabas (15.12), and James (15.13-21). Martin Hengel posits that 'presumably Paul and Barnabas were chosen as delegates because they could put forward the most convincing theological and scriptural arguments.'⁸⁰³ This theory cannot be put to the test as, unlike their opponents, Luke does not record their words, leaving it to Peter and James to put words to the Council's decision.

The focus of this study is the words Luke uses to convey the dispute (ζήτησις and ζητήμα). These words have links both to שרר and the zētēsis in which intellectuals of the Greek world engaged. At the central point of his narrative, which discusses the implications of following the law of Moses for Gentiles (and which leads to the Apostolic Decree, which outlines how Gentiles are to keep the law), Luke's choice of vocabulary is very significant for portraying his message. These legal matters were disputed vigorously and the word chosen to convey that discussion was ζήτησις.

The opening verses set out the question at issue: Are circumcision and keeping the law necessary for salvation? While this is the original point for debate, the subsequent discussion, and later the Apostolic Decree, seems to shift from the original question. Barrett puts forward the hypothesis

that Luke allows the theme to shift in the course of chapter 15 from this fundamental problem of theology to the practical question of the terms on

⁸⁰² J. C. O'Neill, *The Theology of Acts in its Historical Setting*; 2nd ed. (London: SPCK, 1970), 105.

⁸⁰³ Hengel, *Acts*, 114.

which Jewish and Gentile Christians might have fellowship, especially at the common Christian meal.⁸⁰⁴

This is however not what Luke says the dispute was about. For the author, the central area of dispute is the law of Moses, specifically, the issue of circumcision – a matter of halakah. Parsons asserts that the rhetorical situation of the Council is ‘deliberative’ in which speakers ‘seek to persuade’ the audience.⁸⁰⁵ They do so by recalling a personal experience of divine revelation and by appeal to prophetic texts.

The Gentile mission, set in motion by Peter’s preaching to Cornelius, the growth of the church at Antioch, and Paul’s first missionary journey, had created problems about the status of Gentile converts and their relationship with Jewish Christians. This needed resolution. Thus, even after the conclusions of Peter’s visit to Cornelius, a Council was necessary. Acts 15 provides an example of Luke’s pattern in this work.⁸⁰⁶ A difficulty arises and is addressed by the Christian community – a solution is found which does not merely solve the difficulty but leads to further expansion of the Christian movement. Raising an issue (question) and finding an answer bears much in common with the genre of ζήτησις καὶ λύσεις, prevalent in the Greek world at this time, in the areas of philosophy, literary criticism, and science. Luke treats the issue with care, meaning the topic for dispute is reputable and worth debating.

Luke offers three reasons for calling the Council: salvation (Acts 15.1), circumcision (Acts 15.5), and adhering to the law of Moses (Acts 15.5). The next step will be to examine how the issue was resolved, with a particular focus on the interventions of Peter and James, before examining the Apostolic Decree. The Decree

⁸⁰⁴ Barrett, *Acts*, 2:696.

⁸⁰⁵ Parsons, *Acts*, 207-208.

⁸⁰⁶ Barrett, *Acts*, 2:xxxvi.

outlines what is required of Gentiles, and provides the focus for the following section, which examines its purpose. I propose that the Council of Jerusalem, the central passage in Acts, is a legal debate which is resolved by appeal to divine revelation and Scripture, and that as a consequence, the Decree must regulate the relationship of Gentiles with the law of Moses.

7.4.2.1 The stages of the debate in Acts 15

This section begins by tracing the arguments that form part of the Council in Acts 15. This merits attention, especially since the central question seems to change as the argument develops. The debate is not fully recounted in the text; the reader must read between the lines to recognise that a serious debate did indeed take place, and only the final summations of the victorious side are presented. Peter and James are ‘responding to a dispute that has been carried on with considerable vehemence’.⁸⁰⁷ This debate threatens the unity of the church; it is, undoubtedly, a major crisis. The dispute is resolved through three speeches that together present a single persuasive interpretation of God’s purpose, though Luke deems it unnecessary to hear the theological case presented by Paul and Barnabas. Peter recounts his experience of the Cornelius episode, which manifests the will of God, and James offers the scriptural evidence in support of the Council’s decision.

Luke describes the source of the conflict as *τινες* ‘certain individuals’, who come down from Judea to Antioch teaching that ‘unless you are circumcised according to the customs of Moses, you cannot be saved’ (Acts 15.1). So, the issue at hand is that of salvation. This teaching led to great dissension and debate (*στάσις καὶ*

⁸⁰⁷ Barrett, *Acts*, 2:696.

ζήτησις), with the consequence that Paul, Barnabas, and some others went up to Jerusalem to the apostles and elders to resolve this question (ζήτημα). The position of the men described in verse 2, and thus the source of the controversy, was that apart from circumcision, which represented to them the law, potential converts could not be saved. To promote their view, they sought to manufacture a disagreement between James and Paul by positioning James as their champion and Paul as their enemy.⁸⁰⁸ In Acts 15.4, Paul, Barnabas, and companions arrived in Jerusalem and ‘reported all that God had done with them’. The ‘them’ in this instance must mean uncircumcised Gentiles, as immediately some believers belonging to the sect of the Pharisees stood up and challenged them, arguing that ‘it is necessary to circumcise them and to instruct them to keep the law of Moses’ (Acts 15.5). In addition to circumcision, the issue in Acts 15.1, Gentile converts are now expected to keep the law of Moses. The apostles and elders come together to decide the matter (Acts 15.6), which caused much ζήτησις ‘debate’ (Acts 15.7). Following the debate, Peter is the first to speak.

In his intervention, Peter points to three facts: it was God who decided that the Gentiles should receive the Gospel (Acts 15.7); it was God who had given them the Holy Spirit (Acts 15.8), making no distinction between them and us (Acts 15.9); and it was God who purified both Gentile and Jewish hearts when a response of faith was made to the grace of Christ (Acts 15.11). Peter also questions why the Gentiles should bear the yoke of the law which ‘neither our ancestors nor us had the strength to carry’.

Paul and Barnabas are the next to speak, though Luke does not record their words, mentioning only that they spoke of the wonders God had worked through them among the Gentiles (Acts 15.12).

⁸⁰⁸ David B. Whitlock, ‘An Exposition of Acts 15:1-29,’ *RevExp* 92 (1995): 375-78, (376).

The final recorded speaker is James, who adds to the words of Peter that God has taken a people for his name from among the Gentiles, something which agrees with the words of the Prophets, before citing Amos 9.11-12 (plus some additional allusions to other verses). James is making two points: God will restore 'the tabernacle of David which is fallen down' (Acts 15.16), that is, the restored Israel; and a Gentile remnant will seek the land and thus share in the messianic blessings. James concludes that the Gentiles who wish to turn to God should not be troubled, but simply follow the four stipulations in what is known as the Apostolic Decree (Acts 15.20).

The issue as outlined in the beginning is whether Gentile converts must be circumcised and are thereby obliged to keep the law of Moses, in other words, do they have to become Jews in order to belong to the people of God.⁸⁰⁹ The alternative argument is that baptism and the Spirit alone were necessary for membership.⁸¹⁰ That this follows Peter's visit to Cornelius, which had led to the conclusion that 'to the Gentiles God has granted that repentance that leads to life' (Acts 11.18) is puzzling; if this was agreed, why was another conference necessary? There are different nuances in the two narratives: the dispute in chapter 11 begins with the legitimacy or otherwise of contacts between Jews and Gentiles, and ends with the general question of salvation for the uncircumcised. Chapter 15 moves in the opposite direction, beginning with questions of salvation and ending with what appears to be rules regulating table fellowship between (Christian) Jews and Gentiles. The issue in Acts 15 is therefore the question of whether Christians have to be Jews first. The result

⁸⁰⁹ Richard Bauckham, 'James and the Jerusalem Church,' in *The Book of Acts in its Palestinian Setting*, ed. by Richard Bauckham; vol. 4 of *The Book of Acts in its First Century Setting* (Grand Rapids: Eerdmans, 1995), 415-80, (452).

⁸¹⁰ Bauckham, 'Jerusalem Community,' 72.

runs through the rest of the book, which describes the increasing success of the Gentile mission, and reaches a climax when Paul proclaims the gospel in Rome.⁸¹¹

Therefore this issue is not in essence a question on the validity of the Gentile mission, which has already received approval. The key debate focuses on the relationship of the Gentiles to the law. That having been decided, James sets out some stipulations which regulate that relationship. The next step is to look at the individual elements of the debate.

7.4.2.2 Being saved (Acts 15.1)

The focus of the argument at the Council is what is necessary to be saved, with the people coming down from Jerusalem saying that without circumcision it is not possible to be saved (Acts 15.1). This is still the question which Peter is addressing in his intervention: ‘we believe that we will be saved through the grace of the Lord Jesus, in the same way as they will’ (Acts 15.11). In broader terms, the issue is whether salvation is to be found only within Israel, defined by its covenant of circumcision, or whether the nations which are promised blessing through Abraham (Gen 12.3) may find it within their own people.⁸¹² As the issue begins therefore, it is not a matter of table relations or Jews and Gentiles living together. For James, if law is neither the path to salvation nor the distinguishing mark of the Chosen People, there is no point accumulating obstacles in the conversion of pagans.⁸¹³

⁸¹¹ Barrett, *Acts*, 2:xxxvii.

⁸¹² David Saccombe, ‘The New People of God,’ in *Witness to the Gospel: The Theology of Acts*, ed. by I. Howard Marshall (Grand Rapids: Eerdmans, 1998), 349-72, (365).

⁸¹³ Simon Buttica, ‘Acts 15 or the “Return of the Repressed”? The Church and the Law in Acts,’ in *Torah in the New Testament: Papers Delivered at the Manchester-Lausanne Seminar of June 2008*, ed. by Michael Tait and Peter Oakes (London T & T Clark, 2009), 118-32, (126).

The question explicitly raised in the text is that of the requirements for salvation. Salvation is frequently seen to be the centre of Luke's theology (Luke 1.69-71, 77; 2.11, 30; 3.6; 19.9-10; Acts 2.21, 40, 47; 4.12; 5.31; 11.14; 13.23, 26, 47; 16.17, 30-31; 28.28). For Luke, salvation is always theocentric, as well as Christocentric. Jesus is the one sent by God to be both Lord and Messiah (Acts 2.36); he is mediator of salvation (Acts 2.38; 3.19; 10.43; 13.38-39; 20.21; 26.18). First, the question of Gentile circumcision has to do with the requirements for salvation: the brethren at Antioch are told that 'unless you are circumcised in accord with the custom of Moses, you cannot be saved' (Acts 15.1). The references to σωτηρία and σωζειν in Luke-Acts, which carry a theological sense (rather than signifying mere physical wholeness), are ultimately bound up with eschatological salvation (Luke 13.23; 18.26; Acts 2.21, 40; 4.12; 11.14). Luke does not hesitate to apply these terms with a present sense to those who are destined to obtain such a salvation (Luke 13.23; Acts 2.47; 15.11). This guarantee of final salvation belongs solely to those who have repented and placed their faith in Jesus's name (Acts 2.21, 40, 47; 4.9-12). Salvation through repentance and faith in Jesus is integral to the proclamation of the church (Acts 11.14; 13.26, 47; 16.17, 30-31; 28.28). The problem which is confronted in Acts 15 is whether or not obedience to the Mosaic law is essential to salvation. Pesch⁸¹⁴ has argued that law is irrelevant to salvation in Luke-Acts, a point which Barrett argues is difficult to maintain given the references to Moses and the law in chapter 7 of Acts.⁸¹⁵ It is the very relationship between law and salvation which the Council discusses in Acts 15. To this end, Parsons proposes that the conflict in Acts 15 has inter-related, but ultimately distinct, soteriological and social dimensions.⁸¹⁶ For Parsons, the issue ends up being not about the Gentiles' salvation but about whether Gentiles and Jews

⁸¹⁴ Rudolf Pesch, *Die Apostelgeschichte*; EKKNT 5 (Zürich: Benziger, 1986).

⁸¹⁵ Barrett, *Acts* 2:633.

⁸¹⁶ Parsons, *Acts*, 209.

can commingle without the Jews being defiled by association with Gentiles.⁸¹⁷ While this aspect does enter the debate as the arguments at the Council develop, the initial debate is framed by the issue of salvation and whether it was only accessible for those who had been circumcised.

The debate is in essence soteriological; it concerns whether circumcision is necessary in order to be saved, while the insistence on circumcision is linked to the law of Moses.⁸¹⁸ Luke's account of the Council of Jerusalem's debate extends to the soteriological status of the Torah, rather than restricting it to the single practice of circumcision. However, the issue of the basic nature and identity of the believing community is also at stake. Ultimately, the decision of the Council recognises Gentiles as full heirs of salvation and members of the people of God, apart from the Mosaic law.⁸¹⁹

7.4.2.3 Circumcision

In Luke's account of the Jerusalem Council, the issue is whether Gentile converts must be circumcised and thereby obliged to keep the law of Moses (15.1, 5) that is, whether, in order to belong to the eschatological people of God, they have to become Jews.⁸²⁰ At the start of the mission, Christians were already Jews and had already been circumcised, however, when Gentiles came to faith in Christ, the question as to the necessity of circumcision arose. The question was raised by believers from the Pharisee party, who are in support of circumcision (Acts 15.5). In so doing, they are stating that circumcision is necessary to be saved. They wish to let Moses complete

⁸¹⁷ Parsons, *Acts*, 210.

⁸¹⁸ Daniel Marguerat, 'Paul and the Torah in the Acts of the Apostles,' in *Torah*, ed. by Tait and Oakes, 98-117.

⁸¹⁹ M. A. Seifrid, 'Jesus and the Law in Acts,' *JSNT* 30 (1987): 39-57, (44).

⁸²⁰ Bauckham, 'Jerusalem Church,' 452.

what Jesus had begun and let the law supplement the gospel.⁸²¹ The Pharisaic Christians want Gentiles to become converts to Judaism.⁸²² Hence the stumbling block is not the free access of the Gentiles to salvation, but only their admission without circumcision.⁸²³ In this way the general issue of salvation is focused on the particular act of circumcision. For opponents of Paul in Antioch, and those who oppose his viewpoint at the Council, the access of pagans to salvation is unthinkable apart from their first being circumcised, and, furthermore, without Torah observance. To remove Torah and circumcision was to remove the boundary markers of the Chosen people. It is from this perspective that the intentions that drive the opponents of Paul and Barnabas can be determined.⁸²⁴

Circumcision is central to Judaism. In addition to being embodied in Mosaic law (for example, Lev 12.3), it is fundamental to Israel's self-understanding as set out in Gen 17.9-14. The covenant with Abraham is a 'covenant of circumcision' (Acts 7.8; Gen 17.11), an everlasting covenant in their flesh. Without circumcision, there is no covenant, no promise, and indeed no nation (Gen 17.10, 12-14). Judith 14.10 notes that circumcision is a necessary element for the conversion of Achior. Israel's identity marker was reinforced by the Maccabean crisis. The Maccabean defence of Judaism had included among its first priorities the reassertion of circumcision as indispensable for all Jews (1 Macc 2.46). 'Thus, for the great bulk of Jews, the link between "Jewish", "Judaism" and circumcision was axiomatic; an uncircumcised Jew was virtually a contradiction in terms.'⁸²⁵ And since circumcision was so inextricably bound up with the covenant promise to Abraham and his descendants, no one could

⁸²¹ John R. W. Stott, *The Message of Acts: The Spirit, the Church and the World* (Leicester: Inter Varsity Press, 1990), 243.

⁸²² Jack T. Sanders, *The Jews in Luke-Acts* (London: SCM, 1987), 266.

⁸²³ Jacob Jervell, *Luke and the People of God: A New Look at Luke-Acts* (Minneapolis: Augsburg, 1972), 67.

⁸²⁴ Buttica, 'Acts,' 121.

⁸²⁵ Dunn, *Acts*, 198.

surely think to have a share in that inheritance without first being circumcised. In a sense, circumcision can be viewed as a test of conformance to the law of Moses.⁸²⁶ The solution proposed by the Pharisee believers that Gentiles respect the law and at least be circumcised (Acts 15.5) had also been proposed by Philo (*Migration*, 16.89-94, esp. 92), circumcision being a covenant sign predating Mosaic law. If one part of the Torah were to be followed, it should be the covenantal sign of the Abrahamic covenant, tied to promises God made to him.⁸²⁷

Any decision made at the Council does not mean an end to the law or circumcision. When Paul circumcises Timothy (Acts 16.4), he demonstrates his support for Judaism and the law, and his fidelity to the agreement made in Jerusalem. Similarly, in the speech of James and the elders to Paul in Acts 21.23-25, Luke makes it clear that by taking Nazirite vows, Paul is showing his continued devotion to Judaism and its decrees. Thus, it can be concluded that the decision of the Council applies only to Gentile Christians and that Jewish Christians will still follow the precepts of the law of Moses. It is Gentile relationship to the law which is under discussion.

In Acts 15, membership of the Christian community is at stake. Circumcision, the visible marker of Jewishness, is a sign both of membership of the Jewish community and that one will undertake to follow the law of Moses. Jacob Jervell argues that the party from Judea was not denying the Gentile Christians access to the community outright:

⁸²⁶ Paul W. Walaskay, *Acts* (Louisville: John Knox, 1998), 143.

⁸²⁷ Bock, *Acts*, 487.

The brothers who are zealous for circumcision (Acts 15:1) do not question the free access of Gentiles to salvation, but question only their admission without circumcision.⁸²⁸

He correctly notes that the real problem in Acts 15 is the relationship of the nations to the law of Moses.⁸²⁹ The nuance in this argument is important; the Gentile mission as a whole is not up for discussion; this had previously been decided (Luke 24.47; Acts 1.8, 10-11).⁸³⁰ The main question which the Council must face is whether the Gentiles ought to be circumcised, and keep the law of Moses. Luke uses the term ζήτησις in relation to this debate. That the Gentiles can be saved is not the issue; rather the question is do they have to become Jews first. It is logical that a discussion about whether one needs to be Jewish in order to be saved will have circumcision as a focus.

7.4.2.4 Observing the Law (customs) of Moses (Acts 15.5)

The implications of following the command to circumcise according to the customs of Moses are unfolded in Acts 15.5. Circumcision would be the beginning of a life directed to keeping the law of Moses.⁸³¹ Some Pharisees believed that Jesus was the Messiah, and had not abandoned their allegiance to Moses and Torah. In their demand, they use the language of necessity (δεῖ), implying God's will.⁸³² Thus it is not only the particular issue of circumcision which provokes the Council, but the more general matter of keeping the law of Moses as a whole.

With respect to the law, most of the significant themes in the Gospel reappear in Acts in conjunction with important new themes. The three most important items of

⁸²⁸ Jervell, *Luke*, 67.

⁸²⁹ Jervell, *Luke*, 78. It is also at this point in the composition that the apostles disappear from the narrative, because their mission to Israel is accomplished.

⁸³⁰ Thus, the necessity of the Council after the Cornelius episode is explained.

⁸³¹ John Painter, *Just James: The Brother of Jesus, History and Tradition* (Minneapolis: Fortress, 1999), 50.

⁸³² Peterson, *Acts* 427.

legal terminology are νόμος, ἔθος, and Moses. Luke's use of νόμος reflects normal Jewish or Christian usage, and of the twenty-six occurrences in Luke-Acts, the majority refer to the 'prescriptive,' and a few to the 'predictive,' function of the law. The connection of Moses to the law is typical of Luke. Unique to Luke in the NT are the curious uses of the concept 'custom' in connection with the law, as discussed above.

The Council of Jerusalem narrates a debate between the supporters of a 'rigorist Judean-Christianity'⁸³³ and the Antiochene delegation led by Paul, which questions the validity of the law of Moses in the life of the Christian community, more particularly the Gentile Christians. The debate also touches on the soteriological status of the Torah, as the real question behind the debate is whether it is necessary to follow the law of Moses in order to be saved. The interventions of the participants respond to this question. These interventions will be examined after a brief examination of the issue of Pharisaic halakah.

7.4.2.5 Pharisaic halakah, or the halakic status of Gentile believers

David Rudolph has argued that Luke portrays Pharisaic halakah, and not the entire law of Moses, as a heavy burden. For Rudolph, Acts 15 'relates that Jesus-believing Pharisees opposed Paul's stance that Jesus-believing Gentiles were exempt from circumcision.'⁸³⁴ This view was the source of no small dissension and debate and led to Peter's comment that the law was a yoke which neither we nor our fathers could bear. For Rudolph, this was not a reference to the whole law:

⁸³³ Marguerat, 'Paul,' 106.

⁸³⁴ David Rudolph, *A Jew to the Jews: Jewish Contours of Pauline Flexibility in 1 Cor 9:19-23*; WUNT 2/304 (Tübingen: Mohr Siebeck, 2011), 199.

While most commentators interpret Peter's 'under the yoke' language as a reference to being 'under the yoke of Mosaic law', the Luke-Acts context gives weight to the argument that Peter was referring to the historic imposition of Pharisaic interpretation of the law (not Mosaic law in general) on the Jewish populace. I contend that he is speaking of being 'under the yoke of Pharisaic halakhah'.⁸³⁵

Rudolph offers three arguments in support of his thesis:

1. The assumption through Acts 15 is that Jesus-believing Jews would continue to observe Mosaic law. If this were not the case, how could it be made obligatory for Gentiles. It appears that such a thought did not even occur.⁸³⁶
2. Luke disparages a narrow interpretation of the law. In Luke 11:37-45, Jesus is depicted as saying 'woe also to lawyers (*Nomikos*) for you load the people with burdens hard to bear' (11:46). 'Luke 11:46 and Acts 15:10 were written by the same author and occur in contexts in which Luke focuses on onerous burdens imposed by the Pharisees.'⁸³⁷
3. Torah observance is positively portrayed throughout Luke-Acts (Luke 1:6; 2:21-39; Acts 22:12).

For Rudolph, 'Acts 15:10 does not refer to the general application of Mosaic Law (the normative way of life to first century Jews) but to Pharisaic halakhah.'⁸³⁸ This verse provides evidence that Pharisees were viewed by some early Jesus believers as Jews who were 'under the yoke' of a particularly strict interpretation of the law. Peter's words might be interpreted as follows: 'If we mainstream Jews do not want to keep strict Pharisaic interpretation and expressions of the law, why should we impose Pharisaic halakah on the Gentiles? We are not saved by strict law observance but by grace.' Peter is not rejecting Torah observance *per se*, but Torah observance as

⁸³⁵ Rudolph, *Jew*, 199.

⁸³⁶ Michael Wyschogrod, *Abraham's Promise: Judaism and Jewish-Christian Relations* (Grand Rapids: Eerdmans, 1994), 194

⁸³⁷ Rudolph, *Jew*, 200.

⁸³⁸ Rudolph, *Jew*, 200-201.

defined by Pharisaic halakah for the purpose of eschatological blessing.⁸³⁹ Mbachu Hilary, who Rudolph cites in support of his argument, states:

as a simple Galilean Jew who observes the law of cleanliness (Ac 10.14) and can under divine guidance readily fraternize with the Gentiles (Ac 10.28; Ga 2.11-14), Peter and those like him may find the details of the Pharisaic legal tradition too burdensome to observe.⁸⁴⁰

There is some merit in Rudolph's argument. Certainly it is clear from the text that, despite the fact that Peter considers it a 'yoke,'⁸⁴¹ the law remains in place for Jewish Christians. I would question however whether this means that it is a specific piece of halakah, or perhaps better specific halakoth, which those from the Pharisees are trying to impose on Christians. If that were the case, why does Luke not say so explicitly? Those who come from Judea and the Pharisees argue that 'circumcision' and the 'customs of Moses' are necessary for salvation. Circumcision is foundational to the law, not a Pharisaic addition. While the discussion in Jerusalem was halakic and in a formal setting, there is no specific evidence that it was Pharisaic halakah only under consideration. The verdicts as delivered by Peter and James support this, as they do not single out the Pharisees (who are largely treated positively in Acts – see Acts 5.34; 23.6; 26.5) in their speeches. Nor do the stipulations of the Apostolic Decree argue specifically against Pharisaic halakot.

The next section examines the arguments which Luke records as having been put forward at the Council. While it can be argued that these arguments were halakic, they do not specifically reference the Pharisees or Pharisaic halakah.

⁸³⁹ Rudolph, *Jew*, 201.

⁸⁴⁰ Mbachu Hilary, *Inculturation Theology of the Jerusalem Council in Acts 15: An Inspiration for the Igbo Church Today* (Frankfurt am Main: Peter Lang, 1995), 159.

⁸⁴¹ While this passage appears to view the yoke of the law negatively, the term is not always used pejoratively, for example in rabbinic literature the obligation to obey the law is seen as a blessing and a privilege (m. 'Abot 3.5). See also Matt 11.30.

7.4.3 Resolving the Debate

The dispute at the Council is resolved by three speeches, which together represent a single persuasive interpretation of God's purpose. Luke records the interventions of Peter (Acts 15.7-11) and James (Luke 15.13-21), while noting that Paul and Barnabas 'told of all the signs and wonders that God had done through them among the Gentiles' (Acts 15.12). It is likely that they did not need to present a theological case as Peter and James could and did do just that.⁸⁴² It would however be unfair to expunge the roles of Paul and Barnabas from the record. Juel's assertion that the decision of the Council had nothing to do with Paul's testimony⁸⁴³ is overly harsh; while the input of Peter and James may have carried more weight in Jerusalem, it was Paul whose experience and mission to the Gentiles both provoked and informed the decision of the Council. However, it is the words of Peter and James which Luke records and which provide the focus for this section. They approach the question from different angles: Peter offers a theological argument for the inclusion of Gentiles in part on the basis of his personal experience, while James offers a theological argument based on another source of authority – Scripture.⁸⁴⁴ The two approaches may hint at a tension as to the validity of direct inspiration in deciding how early Christians behaved.⁸⁴⁵ Yet, experience and exegesis need not be mutually exclusive modes of revelation, providing the former does not put forward a view difficult to justify by means of the latter.

When Peter or Paul claimed they were justified in their actions with regard to the Gentile mission, either in whole or in part on the basis of revelation, it became well-nigh impossible to resist the question of the validity of that

⁸⁴² Tannehill, *Narrative*, 2:184.

⁸⁴³ Donald Juel, *Luke-Acts* (London: SCM, 1983), 78.

⁸⁴⁴ Parsons, *Acts*, 212-13.

⁸⁴⁵ Rowland, *Open*, 373.

claim, not least as far as Paul was concerned, whose claim to apostolic authority was far less secure than that of Peter.⁸⁴⁶

In James's speech, the justification is rooted in proof from Scripture; this marks a change from the visionary and supernatural proof which runs through Acts 10-11, and the appeal to experience repeated in Peter's speech in Acts 15.7.

7.4.3.1 Peter's speech (Acts 15.7-11)

Peter stands to speak in an atmosphere of possible hostility,⁸⁴⁷ Luke having recounted that there was 'much debate'; the occurrence of ζήτησις at this juncture indicates this was a debate on legal matters, specifically, the vital issue of whether the law of Moses was necessary for salvation. According to Luke, the proceedings of the Jerusalem Council confirm that the believing Gentiles have been granted salvation apart from the law. Peter's speech establishes this in four ways. He underscores the divine initiative in bringing Gentiles to faith (15.7); the divine witness to their full acceptance by their reception of the Spirit (15.8, 9); the description of the law as a 'yoke' which neither the ancestors nor the present generation were able to bear (15.10),⁸⁴⁸ and grace, Peter concludes that both Jewish and Gentile Christians will be saved by faith through the grace of the Lord Jesus (15.11).

⁸⁴⁶ Rowland, *Open*, 374. In terms of Acts, Paul has no claim to apostolic authority, which may explain why his words are not recorded.

⁸⁴⁷ Codex D and codex 614 add a reference to Peter rising up 'in the Spirit' (see 15.29 and 32 for similar additions that make clear the source of the actions).

⁸⁴⁸ On the sense of 15.10, see John Nolland, 'A Fresh Look at Acts 15.10,' *NTS* 21 (1981): 105-15. He argues (against Haenchen) that the 'testing' of 15.10 consists of a resistance to God's action in the conversion of Cornelius (15.7-9), and does not spring from a negative attitude toward the law. Nolland's reading has the advantage of recognising the emphasis on the removal of the distinction between Jew and Gentile and of accounting for the stress on Jewish salvation in the main clause of 15.11. Contra Max Turner ('The Sabbath, Sunday, and the Law in Luke/Acts,' in *From Sabbath to the Lord's Day: A Biblical, Historical, and Theological Investigation*, ed. by Don A. Carson [Grand Rapids: Zondervan, 1982], 100-57, [119]), Peter could hardly express the view of an 'am ha'aretz in 15.10 after his protestations in 10.14 that he had never eaten anything common or impure!

In Acts 15.7-9, Peter places God as the central actor in calling Gentiles to salvation: God chose; God testified; God did not discriminate. He then applies the actions of God to the present situation in Acts 15.9-11. The essential point of Peter's argument is that God who 'knows hearts' has given his verdict in favour of Gentiles 'in giving the Holy Spirit as to us'. Peter reiterates a point he has made no less than three times in the Cornelius narrative (10.47; 11.15, 17). He has learned that God no longer required the separation of Jews and Gentiles and brings this experience, which came as the result of a vision, to the Council. Peter is qualified because of the revelation to him at Cornelius's house.⁸⁴⁹ He can testify to the fact that God has given God's Holy Spirit to Gentiles who believed, and that no attempt should be made to add requirements such as circumcision to them.

The gift of the Holy Spirit is a key element in Peter's testimony. By giving his Holy Spirit to the uncircumcised, God removes any requirement of circumcision. The inference is that the Holy Spirit trumps the need for circumcision.⁸⁵⁰ This does not mean that the time of circumcision is over, as, shortly after the conclusion of the Council, Paul circumcises Timothy (Acts 16.4), meaning that, while circumcision is not to be imposed on Gentiles, the rules still apply to Jewish Christians. Peter has learned through revelation and the bestowing of the gift of the Spirit to Cornelius and his household that reception of the Spirit and Baptism, given to Gentile believers in Jesus, has cleansed them from moral impurity (Acts 15.8-9). They require neither circumcision, nor to follow the law of Moses.⁸⁵¹ In Acts 11.17, it was the gift of the

⁸⁴⁹ Haenchen, *Acts*, 458.

⁸⁵⁰ Acts 8.4-26 recounts Philip preaching in Samaria, and baptising those present, however, they do not receive the Holy Spirit until Peter and John come down from Jerusalem (Acts 8.14-17), implying the gift of the Spirit does not come automatically with baptism.

⁸⁵¹ Bauckham, 'Jerusalem Community,' 72-73.

spirit to Gentiles which settled the matter, and rendered circumcision irrelevant.⁸⁵² Peter's vision in Acts 10, mediated by the Spirit, is sufficient to convince only him: the subordinate role which is assigned to him in the narrative prevents him from taking the larger function which Luke reserves for the Spirit.

Peter describes the law as a 'yoke' which has been too much to bear, thus denying that the law is necessary in order to be saved. This is not a call for Jews to abandon the law. Luke expects continuing commitment on their part, confirmed in the assertions to this effect about Jewish Christians, including Paul, in the rest of Acts (for example, Acts 21.24). Luke allows two groups in the church: Jews who remain Torah-observant, but are freed to mix with Gentiles because God has declared them clean and are not obligated to insist on their circumcision.⁸⁵³ The Apostolic Decree will go some way to regulating this mingling. Salvation does not come from the law, but grace, as Peter asserts in Acts 15.12.

Peter's interpretation of the Cornelius episode considerably strengthens the emphasis on faith. His statement that the Gentiles are cleansed by faith is something new and his conclusion that salvation for *both* Jews and Gentiles comes through grace and faith, not through the law (by implication), expresses the matter with a particular sharpness and clarity.⁸⁵⁴ It is this statement which causes the great debate to dissolve into silence (Acts 15.12). The preoccupation of the Gentile believer could have been shifted from the 'grace of the Lord Jesus' to the law, but Peter argues that this burden would be unfair. The source of justification is no longer the law, but grace, whose source is the Lord Jesus.⁸⁵⁵ The thrust of the main clause in Acts 15.11 is that Jewish

⁸⁵² Dunn, *Acts*, 151.

⁸⁵³ Loader, *Attitude*, 374.

⁸⁵⁴ Tannehill, *Narrative*, 2:186.

⁸⁵⁵ Turner, 'Sabbath,' 118.

believers are saved by grace. The adversative ἄλλὰ sets salvation through grace apart from the ‘yoke’ of the law. One would have expected the statement to be framed with an emphasis on Gentile salvation. According to Luke, the dynamics of evangelistic success force the believing community to face the insights which are inherent to the Cornelius episode.⁸⁵⁶ The controversy settled at Jerusalem involves the question of whether or not believing Gentiles can be saved as Gentiles, without fulfilling the demands of the Mosaic law. For Peter, this is certainly the case, as it is grace, not law, which leads to being saved.

Peter addresses the Council speaking out of his experience at the house of Cornelius. While his experience grew out of a vision, he focuses on the actions of God, who sent Peter to the Gentiles and gave them the Holy Spirit. As God did all these things, what right could humans have to place the yoke of Torah observance upon the necks of Gentiles? The law is not necessary for salvation, which comes through the grace of the Lord Jesus. With regard to the question as to whether circumcision and keeping of the law of Moses were necessary for salvation, the answer is emphatically no. Peter’s words are met by silence, signifying the assent of those present.⁸⁵⁷ Into this silence, Paul and Barnabas recount all of the signs and wonders God worked through them among the Gentiles, before James addresses the community.

7.4.3.2 James’s speech (Acts 15.41-21)

James is the last voice to be heard at the Council, indicating the authority of the Council is not due to its apostolicity; rather, according to Luke, it stems from James,

⁸⁵⁶ Seifrid, ‘Jesus,’ 45.

⁸⁵⁷ Peterson, *Acts*, 428.

the adherent of the law *par excellence*.⁸⁵⁸ James's speech can be subdivided into four sections: a summary of Peter's address; scriptural support for the inclusion of Gentiles in the people of God; what is required of Gentiles (the Apostolic Decree); a closing comment, with reference to the synagogue. To Peter and Paul, James adds a scriptural proof that it was as Gentiles that Gentiles were to be included in the messianic people of God, and in the Apostolic Decree he outlines the relationship of Gentile Christians to the law. In so doing, James addresses a critical issue of the Council – the boundaries of the messianic people of God.⁸⁵⁹ This section will argue that James adds a scriptural proof to resolve a matter of Jewish law, before regulating the relationship of Gentiles to that law in the Apostolic Decree.

James's speech takes as its starting point the precedent provided by Peter, and uses Scripture to build it to a basic principle. The Cornelius episode has marked a new stage in God's dealings with humankind, in particular Gentiles, and James will argue that the restoration of Israel would incorporate Gentiles.⁸⁶⁰ He states directly that God has taken a people for his name from among the Gentiles, and that the words of the Prophets agree (συμφωνέω) with this (Acts 15.14-15); James speaks of the Prophets and Peter as if they were two people who were actually in agreement on a matter; this is a unique use of συμφωνέω in the NT.⁸⁶¹ For the Lukan James, this indicates that the Scriptures foretold that God would choose a people from the Gentiles, which fits with Peter's assertion that God was in control of events (Acts 15.7-10). In making this argument, James asserts that the prophets, when they predicted that Gentiles would join the eschatological people of God, also made clear that they will do so as

⁸⁵⁸ Jacob Jervell, *The Theology of the Acts of the Apostles* (Cambridge: University Press, 1996), 97.

⁸⁵⁹ Bauckham, 'James, Peter,' 118.

⁸⁶⁰ Dunn, *Acts*, 202.

⁸⁶¹ In other occurrences of the verb, it indicates an agreement between two people (Matt 18.19; 20:2, 13; Acts 5.29).

Gentiles.⁸⁶² ‘To take a people in his name’ does not mean that all who believe become part of Israel, rather, it means that in addition to Israel, God has established a people in his name.⁸⁶³ This hints at separate roles for Jewish and Gentile Christians, so Jewish Christians continue to follow Torah, while Gentile Christians are free from the law.

Scot McKnight offers an alternative perspective, arguing that the inference of James’s intervention in Acts is that he sees in Jesus’s ministry the beginnings of a reversal of fortunes for Israel and that Israel, as a nation, is being restored. Thus, the Judaism that the Lukan James leads is ‘primarily, if not totally, an expression of a restored Israel and not a separate religion’.⁸⁶⁴ Consequently, Gentile conversion means inclusion in Israel. According to McKnight, what the beliefs of Gentiles achieve is not the redefinition of Scripture (as in Paul’s thought), but the restoration of the house of David. The use of λαὸς and not ἔθνη in reference to these Gentile converts is significant, as it indicates that the Gentiles thus become part of the people of God – that is, Israel. However, this choice of vocabulary would be significant according to either argument, as it indicates membership of the people of God, which, while one people, could have two strands – Jewish Christians and Gentile Christians.

The scriptural passage with which James supports this position is Amos 9.11-12 LXX. There are a number of points which merit further attention in this citation. While the verses from Amos form the centre of the citation, the first and last words come from elsewhere in the Prophets. Secondly, it is Amos LXX and not the MT which is the source of the citation, as the two texts differ in a significant manner.

⁸⁶² Bauckham, ‘Jerusalem Church,’ 452.

⁸⁶³ Bruce D. Chilton, ‘Conclusions and Questions,’ in *James the Just and Christian Origins*, ed. by Bruce D. Chilton and Craig A. Evans; NovTSup 98 (Leiden: Brill, 1999), 251-57, (259).

⁸⁶⁴ Scot McKnight, ‘A Parting Within the Way: Jesus and James on Israel and Purity,’ in *James*, ed. by Chilton and Evans, 83-129, (103).

Thirdly, there is a possible connection between the scriptural citation and the Apostolic Decree which follows.

Amos 9.11-12 is widely held to be the source of the citation in Acts 15.16-18. Yet the text in Acts includes references to other texts, a conflation which can be seen elsewhere in the NT, as well as at Qumran.⁸⁶⁵ The opening words (μετὰ ταῦτα ἀναστρέψω) and closing words (γινωστὰ ἅπ' αἰῶνος), which are not found in Amos 9.11-12, frame the text with allusions to other texts which have been interpreted in close relationship to it (Hos 3.5; Jer 12.15; Isa 45.21). The inclusion of the 'additional' text elements suggests that James may be alluding to related texts which refer to the building of the eschatological Temple (Hos 3.4-5; Jer 12.15-16), and the conversion of the nations (Jer 12.15-16; Zech 8.22; Isa 45.20-23) in the messianic age.⁸⁶⁶ In so doing, James emphasises that Gentile converts are included in the eschatological people of God in the messianic age.

In Acts 15.15, the Lukan James has replaced 'that day' with μετὰ ταῦτα,⁸⁶⁷ he may in so doing have recalled Jer 12.15 ('And after I have plucked them up, I will again have compassion on them, and I will bring them again to their heritage and to their land, every one of them'). One simple effect of this was to simplify and abbreviate Amos's cumbersome sentence. Additionally, James introduces the verb ἀνορθώσω (possibly reflecting 2 Kgdms 7.13, 16, 26; 1 Chr 17.12, 12, 24; 22.10);⁸⁶⁸ and omits Amos's reference to the days of old (כִּימֵי עוֹלָם/αἱ ἡμέραι τοῦ αἰῶνος),

⁸⁶⁵ For example, Mark 1.2-3; 4Q174, see George J. Brooke, 'Biblical Interpretation in the Qumran Scrolls and the New Testament,' in *The Dead Sea Scrolls: Fifty Years After their Discovery, 1947-1997, Proceedings of the Jerusalem Congress, July 10-25, 1997*, ed. by Lawrence H. Schiffman, Emanuel Tov, and James C. VanderKam (Jerusalem: Israel Exploration Society, 2000), 60-73, (71); CD 8.18: Deut 9.5a and 7.8; CD 9.2-5: Lev 19.18; Nahum 2.1; 4QTest 9-13; 1QM 11.6; 1QSb 5.27; 11QMelch is full of scriptural references and citations from Lev 25; Deut 15; Isa 51 and 61; Dan 9; Pss 7 and 12.

⁸⁶⁶ Bauckham, 'James, Peter' 165.

⁸⁶⁷ Here there is a contrast with the quotation from Joel in 2.17 – ἐν ταῖς ἔσχαταις ἡμέραις.

⁸⁶⁸ Barrett, *Acts*, 2:726.

which indicates that Acts is concerned with something new, not a renewal of the past, even if it was foretold. In Acts 15.17, 18: τὸν κύριον is added as the object for ἐκζητήσωσιν; James omits ὁ θεός, probably because he understands κύριος to refer to the Christ. The scriptural proof that James selects is essentially Amos 9.11-12, with the opening phrase alluding to Jer 12.15, and the closing words indicating a dependence on Isa 45.21.⁸⁶⁹ These additions, or secondary allusions, are understandable: the Jeremiah passage envisages a restoration of Israel's hostile neighbours and integration with God's people, while the Isaiah passage is part of a famous denunciation of false gods. In the context of the Council, specifically the inclusion of Gentiles among the Christian community, who view themselves as the people of God, there is a divine command to seek out the remnant of humanity and the nations who are called in the name of the Lord. James uses this citation as scriptural proof that the inclusion of Gentiles into the people of God is supported by and even demanded by Scripture. What Peter has recounted is in accordance with the words of the Prophets.

The use of Scripture in Acts does not always pay attention to the context, still less the original meaning and context of the passage cited.⁸⁷⁰ James's text is based on the LXX, not the MT, which differs in several respects. Chiefly, יִרְשׁוּ אֶת־שְׂאֵרֵי־תִּי אֱדוֹם is rendered by ἐκζητέω οἱ κατάλοιποι τῶν ἀνθρώπων. This is a unique rendering of יִרְשׁוּ in the LXX and is a departure from the sense in Hebrew. In the LXX, ἐκζητέω most frequently renders דָּרַשׁ (73x). The MT reads: 'That they may possess (יִרְשׁוּ) the remnant of Edom and all nations who are called by my name says

⁸⁶⁹ Dunn, *Acts*, 203.

⁸⁷⁰ Barrett, *Acts*, 1:100; see, for example, Acts 1.20.

the Lord who does this'. Instead of **לַיהוָה** they read **לַיהוֹה**. Remnant of Edom (**שְׁאֲרֵי־עֵדוֹם**) becomes remnant of humankind (**שְׁאֲרֵי־אָדָם**). The difference between the two Hebrew words is only the first letter. Timothy McLay raises the possibility that the translator read **בְּקֵשׁ**, which is rendered by ἐκζητέω 29x, but that would require the translator to confuse two consonants, and is an unnecessarily complicated reading.⁸⁷¹ In the LXX, the meaning of the verse is almost reversed. The writer of Acts capitalised on this and reinterpreted it in the light of the Christ event – which accounts for the addition of ‘the Lord’, and for the omission of ‘in the days of old’.

The importance of the citation from Amos centres on how it supports James’s argument. While other texts in the Prophets could be interpreted to mean that Gentiles must become Jews first (and as a consequence be circumcised and follow the law, for example, Isa 19.25; Zech 2.11), Amos states that the nations – as nations – belong to God. There is no requirement of circumcision to be called by God’s name. Thus, ‘James concludes that Scripture confirms Peter’s experience that the Gentiles should not have to become Jews in order to become Christians.’⁸⁷² Although James’s speech revises both the Septuagint and the original Hebrew, its intent is clear: to demonstrate that Amos had already foreshadowed how God would incorporate the Gentiles into Israel, and that ‘we should not trouble those Gentiles who are turning to God’ (Acts 15.19).

James concludes that Moses has been preached in the synagogue and read on the Sabbath for generations (Acts 15.21). James (and the Jewish Christians he represents) finds in Torah the answers to life’s complex problems, including specific problems about which laws Gentiles have to follow in order to be part of the Christian

⁸⁷¹ McLay, *Use*, 21.

⁸⁷² Parsons, *Acts*, 214.

community.⁸⁷³ This exegesis would be familiar to those who attend the synagogue regularly.⁸⁷⁴ James insists on the integrity of Scripture and sees Israel as an eschatological community living out of the vision of Jesus, but remaining fully committed to following Torah. In accepting the interventions of Peter (and Paul and Barnabas), James accepts that the way of salvation is open to Gentiles, and indeed that their salvation is supported by Scripture. While Jewish and Gentile Christians may follow different paths, he does not impose circumcision and the law of Moses upon Gentiles, but accepts that they are free to become members of the community without accepting the law; they need simply to follow four stipulations. Therefore, it is quite incorrect to state that Gentiles are being subsumed into the community as Jews.

In Acts 15.21, preaching Moses is contrasted with preaching Jesus (Acts 8.5, Philip proclaims Christ to the Samaritans; 9.20, Paul preached Christ in the synagogue; 10.42, Peter preaches Christ to the household of Cornelius). The element of discontinuity in Acts 15.19-21, which undergirds James's judgment, is the contrast between the ancient reading of Moses in the synagogue and the recent numbers of the Gentiles who have turned to God (15.19). According to Luke, the law is not the authorisation for the Decree, rather it is the Holy Spirit and the Council (15.28). Consequently, Seifrid argues that nothing in the context of Acts 15 requires that the Decree be understood as a direct obligation to the law, and there is a good deal to suggest that it is not to be so understood.⁸⁷⁵ However, a better reading of Acts 15.21 is that in concluding his address, James wishes once more to underline the heritage into which the Christian community is born, that of Moses and the ongoing interpretation of Torah which has taken place from ancient generations every Sabbath. It is a call to

⁸⁷³ McKnight, 'Parting,' 109.

⁸⁷⁴ Barrett, *Acts*, 1:323.

⁸⁷⁵ Seifrid, 'Jesus,' 51.

recognise the importance of the law for Jews and Jewish Christians, but not a justification for imposing some of its requirements on Gentiles. The activity of the synagogue will continue under the guidance of the Spirit (who may be the one who guides James's interpretation of the Scriptures).

7.4.4 Conclusion: Gentiles Incorporated into the People of God

The conclusion of the Council is that the Gentiles can seek and find God by turning in repentance from their identity and believing in the resurrected Jesus. The decision concerning the freedom of Gentiles did not affect the traditions of the Jewish people; opening the door to Gentiles does not close it to Jews, as the stipulations of the Decree outline. While Jervell argues that the decision is not an outpouring of the Spirit,⁸⁷⁶ in the Lukan narrative there is little doubt that the debate took place under the guidance of the Spirit: 'it seemed good to the Holy Spirit and to us' (Acts 15.28). Moreover, the intervention of Peter is grounded in his divine vision at Joppa (see Acts 11.6-10), and God's gift of the Holy Spirit to Gentiles. That said, the decision of the Council is grounded in legal and scriptural interpretation; the ζήτησις is a legal debate and its resolution is grounded in the texts of Judaism. The legal judgement is laid out in the Decree, which will now be discussed in more detail.

7.5 What is required of Gentiles? (The Apostolic Decree)

The Apostolic Decree outlines four stipulations for Gentiles, who James has concluded should not be troubled if they are turning to God. There are three versions

⁸⁷⁶ Jervell, *Luke*, 191.

of the Decree in Acts (15.20, 29 and Acts 21.25), which are similar but with slight amendments. The Decree's stipulations regulate the Gentile's relationship with Torah. An examination of the contents and context of the Decree leads to the conclusion that it does not represent a direct obligation to follow all of the Torah. The stress of the narrative in Acts 15 is undoubtedly on the freedom which has been maintained for Gentile believers. This section will examine the purpose of the Decree, and explain how the conclusions and audience are more important than speculation as to its sources.

7.5.1 Purpose of the Apostolic Decree

The Apostolic Decree, and its purpose, has caused some debate among scholars, and no consensus has been reached. The purpose may be found in the reasons for the calling of the Council of Jerusalem: Those who came from Jerusalem claiming that Gentiles must be circumcised in order to be saved. Having established that this was not the case, James states that they must simply abide by four requirements, possibly meaning that these stipulations were necessary for salvation. Alternatively, the Decree could serve to regulate external and not internal relations, as one consequence of the Council was to define the group in distinction with the rest of society.⁸⁷⁷ Another potential consequence of the Decree could be to keep Christianity aligned with Judaism. When Paul is arguing before the Roman officials, he does so as a Jew, meaning Christianity would be defined in distinction with pagan cults. Finally, the Decree could serve to keep both Jewish and Gentile Christians together as two strands

⁸⁷⁷ Patrick J. Hartin, *James of Jerusalem: Heir to Jesus of Nazareth* (Collegeville: Liturgical, 2004), 71. For Hartin, this intent is similar to that behind the creation of the Noachide Commandments and Lev 17-18. The consequence of the Council is that anyone can join the Jesus movement and obligations for Gentiles do not include following the law of Moses, but do include purity regulations.

in the one community, enabling them to worship together and enjoy table fellowship. These various possibilities will be examined. In seeking to determine the purpose of the Apostolic Decree, the context provides the key evidence.

The motivation behind the rules is not separation. According to Chilton, James links the stipulations to the fact that Mosaic purity regulation is well and widely known, citing Acts 15.21 ‘being in the synagogues every Sabbath’ in support.⁸⁷⁸ The rules set out by James are designed to separate believing Gentiles from their ambient environment. The consequence would be that Gentile Christians refrain from pagan feasts in benefit of the gods and food sacrificed to idols, and that they might observe stricter than usual limits on sexual activity.⁸⁷⁹ The strictures of the Apostolic Decree are consistent with James’s initial observation that God had taken a people from the Gentiles (Acts 15.14). Chilton finds further support for this claim in Leviticus, arguing that the command to love, and the imperative to remain pure are inextricably linked in Torah, being located in the same chapter of Lev – 19.18 see 19.20, 29.⁸⁸⁰ This argument is dependent on Leviticus being established as the source of the Decree, which is not proven, being at best one source of the Decree. Nonetheless, there is merit in this argument, not least the idea that it aims to set Christians apart, a people called in the name of the Lord (Acts 15.14).

The Decree neither imposes Torah, nor rejects it; it attempts to preserve the ethnic distinctions of Judaism.⁸⁸¹ Yet, it would be a mistake to focus solely on table fellowship as the reasoning for the Decree and ignore its possible application to the law. William Loader has argued that the Apostolic Decree appears to be understood as

⁸⁷⁸ Chilton, ‘Conclusions,’ 262.

⁸⁷⁹ Bruce D. Chilton and Jacob Neusner eds., *Judaism in the New Testament: Practices and Beliefs* (London: Routledge, 1995), 108.

⁸⁸⁰ Neusner and Chilton, *Practices*, 107.

⁸⁸¹ Michael Tait and Peter Oakes, ‘Introduction,’ to *Torah*, ed. by Tait and Oakes, 1-5.

guaranteeing that Gentiles are as law-observant as the law demands them to be, but they are not free from the law.⁸⁸² Loader's conclusion takes the position too far; rather Gentile Christians are declared free from the law by James but expected to follow the four stipulations of the Decree. While it is necessary to maintain good community regulations, an important aspect of the Decree is that Gentile Christians need to recognise the validity of the law, and the Decree is the means of regulating this.

For Barrett, the four requirements are a combination of the moral and the ceremonial, the compromise probably coming as a result of years of controversy. He views the Decree as a practical rather than a theological compromise, which, while it was set up to contain the conditions of salvation, has the practical effect of peace within the burgeoning church as well as making it possible to share a common meal. The Decree is therefore 'Judaism reduced to an absolute minimum so as to impose as little strain as possible on Gentiles'.⁸⁸³ Put in another way, the Gentiles were to be treated as set out in the law, no more, no less.⁸⁸⁴ Yet this argument cannot be sustained if all Gentiles had to do was to follow the four stipulations. There is no requirement to refrain from stealing, for example. James Dunn proposes that all that was required of Gentiles was to adopt sufficient basic laws to enable Jewish and Gentile believers to associate together in worship and in table fellowship.⁸⁸⁵ Gentiles are not required to become or to live like Jews. Taking a slightly different approach, Bernheim states that table fellowship could be an (almost unintended) consequence of the Decree, without being its primary reason. While within the land of Israel ritual purity laws were designed to keep Israel pure, the stipulations in the Decree would

⁸⁸² Loader, *Attitude*, 378.

⁸⁸³ Barrett, *Acts* 2:xciv.

⁸⁸⁴ Joseph B. Tyson, *Luke, Judaism, and the Scholars: Critical Approaches to Luke-Acts* (Columbia: University of South Carolina Press, 1999), 96.

⁸⁸⁵ Dunn, *Acts*, 202.

have the effect of avoiding offence to the Lord.⁸⁸⁶ While table fellowship⁸⁸⁷ is often proposed as a possible reason for the Decree, the proposal of worship also has merit, particularly considering that in the very next verse James underlines that Moses is preached each Sunday in the synagogue. Moreover, pagan temple services would have incorporated elements of the four things forbidden by the Decree.

In conclusion, bearing in mind that the Council was called in order to ascertain what precisely Gentile relationship with the law would be, it is logical that the Decree which concludes the Council would respond to this question. In response to the initial question, Peter declares that Gentiles should not be burdened with the law (Acts 15.7-11), a view upheld by James, who stated that God has taken a people for his name from the Gentiles (Acts 15.14). The Apostolic Decree therefore regulates the Gentile relationship to the law, specifically the ritual requirements therein, which allow Gentile Christians to seek the Lord and be called by his name (Acts 15.17). In so doing, they will be able to live together and share meals with Jewish Christians as a unified Christian community. Moreover, and perhaps more importantly, they are enabled to worship the Lord together. The next step is to examine the potential sources of the Decree.

7.5.2 Sources of the Apostolic Decree

The sources of the Apostolic Decree are difficult to determine precisely and have as a result been the focus of much debate, comment, and speculation. There are certainly echoes of both the Noachide commandments and the laws which apply to the resident

⁸⁸⁶ Pierre-Antoine Bernheim, *James, Brother of Jesus*; transl. John Bowden (London: SCM, 1997), 173.

⁸⁸⁷ Bernheim, *James*, 170, argues that most commentators view the Decree as specifying the minimum conditions imposed on pagan Christians so that the Jewish Christians can agree to have dealings with them and share their table.

alien from Lev 17-18, although these do not incorporate the prohibitions of the Decree fully. Neither do rabbinic texts provide precise parallels. In fact, there is no known Jewish parallel to the four stipulations and no evidence in any of the proposed sources that God-fearers were required to keep them. This has led to speculation that the Decree may refer to pagan festivals, with the four stipulations referring to elements that take place in pagan temples.

It is unlikely that the Decree is directly connected to Lev 17-18, the Noachide commandments, or the *ger tosheb* (a Gentile who is not a proselyte). The most serious difficulty in connecting the Decree with Lev 17-18 is that the term προσήλυτος had undergone a shift in meaning, which is manifest even in the LXX translation. By the first century, προσήλυτος, by which the foreigner is designated in Lev 17-18 LXX, would be understood to refer to a full proselyte, not to a sojourner within Israel.⁸⁸⁸ Wilson also notes the connection of πνικτός with Lev. 17-18 is ‘by any reckoning extremely obscure’.⁸⁸⁹ There is no evidence that any groups or text in first-century Judaism made Lev 17-18 a part of its requirements for either proselytes or godfearers.⁸⁹⁰ If the Decree is understood to refer to the Mosaic law, then Gentiles would be free to steal, rob, and lie! This point stands out even more sharply when the Decree is compared with the Noachide commandments, since the Decree allegedly performs the same function as the latter. The Noachide prohibitions include bloodshed, robbery and idolatry.⁸⁹¹

While it is necessary and illuminating to examine the possible sources of the Decree, the conclusions and audience of the Apostolic Decree are of greater import.

⁸⁸⁸ W. C. Allen, ‘On the Meaning of PROSELYTOS in the Septuagint,’ *The Expositor* 10 (1894): 264-75.

⁸⁸⁹ Wilson, *Luke*, 86.

⁸⁹⁰ Wilson, *Luke*, 86.

⁸⁹¹ B. Sanh. 56a; see Wilson, *Luke*, 86-87.

Luke is known to choose from many sources in his composition, and this is no less the case with regard to the Apostolic Decree, which borrows from more than one potential source. These sources are mainly Jewish, and the purpose of the stipulations is that Jews and Gentiles may coexist within the one Christian community. Its stipulations are directed at communities containing both Jewish and Gentile Christians. The origin of the list is not the be all and end all; it reflects an ethos instead of being the invocation of a specific text.⁸⁹² Elements of the Decree are found in part in many Jewish sources and the Lukan James chooses these to illustrate his point. It is not an appeal to Noachic commandments from Gen 9.3-4, where meat is not mentioned.⁸⁹³ Lev 17-18 cannot explain all the sources, and while the list deals with more than table fellowship, it is present as a concern.⁸⁹⁴ Rather, the issue is the burden of adding the law to the Gentiles, an idea already excluded by the Council, notably in Peter's intervention. The primary focus is therefore more the avoidance of giving offence by one's actions.⁸⁹⁵ It encourages an atmosphere of mutual respect. James's reference to the fact that Moses is read each week in the synagogue in Acts 15.21 indicates the need for sensitivity, asserting that Gentiles continue to respect Jewish concerns, as Jewish Christians are encouraged to accept the Gentiles without circumcision.

Luke is deeply concerned with unity in the fellowship of believers (Acts 1.14; 2.46; 4.24; 5.12; 15.25). It is in this mood that the Decree is framed (Acts 15.25) and that on a later visit to Jerusalem Paul submits to James's request to take a vow (21.20-24). At some points in the narrative, an apologetic concern explicitly lies behind keeping the law (e.g. 25.8; 28.17); in others it is at least implicit (e.g. 22.12). At

⁸⁹² Bock, *Acts*, 507.

⁸⁹³ Barrett, *Acts* 2:734.

⁸⁹⁴ Conzelmann, *Acts*, 118; Bruce, *Acts*, 342.

⁸⁹⁵ Bock, *Acts*, 507.

James's recommendation, it was decided that Gentile converts to the faith should refrain from certain practices, while at the same time Jews would retain their own customs and laws. This conclusion is meant not to unduly trouble those who wish to turn to God (Acts 15.19), while at the same time respecting those who continue to adhere to the law of Moses. Terrance Callan argues that the Decree has been written with God-fearers specifically in view.⁸⁹⁶ The Apostolic Decree specifies minimal requirements for Gentiles who wish to associate themselves with Judaism without fully converting to Judaism.⁸⁹⁷ In Acts 10.35, Peter says that everyone who fears God and does what is right is acceptable to God. This seems to require less of Gentile Christians than the Apostolic Decree, but if Luke presupposes that to be a God-fearer is to keep the laws summarised in the Apostolic Decree, any tension disappears.⁸⁹⁸ These requirements do not need to be mentioned as Cornelius was already keeping them. The argument fails when one considers those who convert without being God-fearers. This seems to be a weakness in this particular conclusion of Callan, especially as the converts in Antioch (13.48) and Iconium (14.2) were designated Gentiles (ἔθνοϛ), and not God-fearers (see, for example Acts 13.16, 26).

On either interpretation, the Apostolic Decree has a striking ecclesiological significance. The Decree implies that Gentile Christians are incorporated into Israel in some way, either as converts or as a group associated with Israel without full conversion, supporting the conclusions of the Council. This indicates that, for Luke, the core of the Christian community is that part of the Jewish people which has accepted Jesus as the Messiah sent by God. Gentile Christians are associated with this restored Israel and are dependent on its existence in order to be part of the Christian

⁸⁹⁶ Terrance Callan, 'The Background of the Apostolic Decree (Acts 15. 20, 29; 21.25),' *CBQ* 55 (1993): 284-297, (293).

⁸⁹⁷ Wilson, *Luke*, 71-76. Wilson finds no evidence for this understanding of the Decree.

⁸⁹⁸ Callan, 'Background,' 296.

community. This is certainly the implication of the citation from Amos 9.11-12, and how the Decree is linked to James's earlier indication that Gentiles were welcome to be included without the necessity to follow the law of Moses. By this understanding, the Decree regulates the Gentile Christian's inclusion in the people of the Lord's name (Acts 15.14).

7.6 Conclusions: A ζήτησις solved by divine revelation and Scripture

The debate (ζήτησις) which forms the focus of the Council of Jerusalem, whether Gentile Christians must be circumcised and bound by the law of Moses, is resolved by appeal to divine revelation and Scripture. It marks a turning point in Acts; the narrative leaves Jerusalem, and the effect of the Apostolic Council is to universalise and make permanent the principle inherent in the conversion of Cornelius. Acts 15 finalises the manner in which Gentiles are to enter and remain within the fellowship of believers. The question explicitly raised in the text is that of the requirements for salvation. However, the issue of the basic nature and identity of the believing community is also at stake. Ultimately, the decision of the Council recognises Gentiles as full heirs of salvation and members of the people of God, apart from the Mosaic law. This recognition defines the position of the believing community vis-à-vis the law and Judaism. Jewish believers are free to practice faith as they have been, under the law, while Gentiles are not required to come under the law. Salvation is not exclusive to either of these practices or approaches.

Chapter 15 marks the last acts of Peter and the Apostles. From here the narrative of Acts focuses on Paul, the Gentile churches, and the movement that will

take Paul to Rome.⁸⁹⁹ The decision of the Council made no difference to the Jewish Christians' observance of the Torah, which was taken for granted. The ζήτησις, a legal debate on Gentile's relationship to the law of Moses, was however resolved; Gentiles were free to become Christians without being troubled by circumcision or having to adhere to all the precepts of the law of Moses, a Council decision which was resolved from Peter's experience including a divine vision, and James's interpretation of Scripture, and was ratified by the Spirit (Acts 15.28).

By focusing on Luke's use of ζήτησις in Acts 15, it is possible to see how Luke frames this as a legal debate, in line with the other occurrences of ζήτησις and ζήτημα in Acts. An examination of the other occurrences of these terms in Acts has demonstrated that they are used to refer to matters of Jewish law. The central issue was not the validity of the Gentile mission, which had already received approval following the conversion of the household of Cornelius, but whether the Gentiles had to be circumcised and follow the law of Moses in order to be saved. This explains Luke's choice of ζήτησις to describe the debate. As a matter of Jewish law, the answers to the question (ζήτημα) are found in divine revelation and Scripture. Peter gives a theological response based on his personal experience of the vision he saw in Joppa (Acts 11.6-10). In his speech at the Council, Peter focuses on the divine initiative in including the Gentiles in the people of God, by giving them the Holy Spirit, and that both Jewish and Gentile Christians will be saved by grace (Acts 15.11). The role of God is primary. James supports Peter's intervention, adding a scriptural proof in order to resolve a matter of Jewish law. His scriptural support, while principally from the book of Amos, includes allusions to other texts, showing evidence of an exegetical history. The boundaries of the people of God are regulated

⁸⁹⁹ Jerome Crowe, *The Acts*; NTM 8 (Dublin: Veritas, 1979), 111.

by their relationship to the law of Moses. The Apostolic Decree regulates the Gentiles' relationship to the law, and their inclusion in a people of the Lord's name. By following the ritual regulations outlined in the Decree, which allows Gentiles to seek the Lord, Gentile Christians will be able to live together with Jewish Christians, sharing meals, and worshipping together. An analysis of the use of ζήτησις in Acts allows the Council to be viewed as a legal debate, and the Apostolic Decree as regulating Gentile Christians' relationship with the law of Moses.

Within the wider context of this dissertation, it is noteworthy that this legal debate is described by the word ζήτησις. As demonstrated in this chapter, when Luke uses ζήτησις, discussion falls on matters of Jewish law. The debate at the Council is resolved by appeal to divine revelation and Scripture, which are acceptable means of reaching new legal decisions. Although ζήτησις refers to legal debate, this would not fall under the legal-instructional model of midrash which Mandel proposes is the sense of the word that would be most applicable to the use of שרר and מדרש within Judaism at the turn of the era.⁹⁰⁰ While a legal matter is being discussed, the resolution comes from divine revelation and interpretation of Scripture, and, furthermore, it is the very debate on these matters which is described by ζήτησις, not the teaching of the laws to an audience. Thus, the Council of Jerusalem provides evidence of a NT passage which discusses a matter of Jewish law, even if the content is particularly Christian, specifically, whether Gentile Christians can be saved without fully adhering to the Mosaic law, and, that being the case, outlines how their relationship to the law is regulated.

⁹⁰⁰ Mandel, *Origins*.

In summation, in Acts Luke uses some of the terms which are related to the content of this dissertation in a variety of ways, generally combining Jewish and Greek usage. The base term, ζητέω, carries the sense of ‘to search’ as was seen in the Tanak, but also elements of the characteristic Greek meaning, as seen in Acts 17.27 especially. The cognate term συζητέω is used by Luke with the sense of legal or scriptural interpretation, with its use in Acts 9.29 in the synagogue setting and Acts 28.29 about a discussion on Isa 6.9-10 having scriptural interpretation in view. Of particular interest is the term ζήτησις, which Luke uses in Acts with the sense of debate on matters of Jewish law. Thus, Luke’s choice of ζήτησις to describe the debate at the Council makes this a debate on a matter of Jewish law. While Jewish law is founded on the text of Torah, it is not the case that particular verses of Torah form the basis for the discussion. (It does not for example mean a legal debate focused on biblical verses related to circumcision.) Thus, the best translation for ζήτησις in the passage is ‘debate’ or ‘discussion’. While there are similarities to the usage of ζήτησις in the Hellenistic world, Luke has adapted the term to his own purpose. In Acts 15, ζήτησις relates to a matter of Jewish law. The Council is however steeped in Scripture, notably in the response of James to the question, which includes a scriptural citation which demonstrates an exegetical history, with Amos 9.11-12 as its focus.

Thus, the Council of Jerusalem narrates a debate which is ‘midrashic’ in nature, and is decided in a way which would be acceptable to rabbinic Judaism. Yet, the focus of this dissertation has been the word(s) used by Luke to describe this debate. In the previous chapter, which examined the genre of zētēsis, an examination of how Philo and Demetrius used this technique to interpret the biblical text was undertaken. The question and answer format was central to their methodology, which had much in common with Aristotle’s defence of Homer against his critics. This is not

however the sense with which Luke uses ζήτησις. Thus while there may be parallels drawn between Luke's use of these terms and previous chapters, it must be acknowledged that there is also a discontinuity in Luke's understanding of the terms. Ζήτησις in Acts fits neither the textual-hermeneutical, nor the legal-instructional model, but falls between the two. Ζητήματα are matters or questions of Jewish law, but are neither focused directly on the text of Torah, nor directly related to a pre-trial investigation. While the pieces may not fit together neatly, the full range of meaning in these terms has been examined and a fuller picture of the background from which Luke was working has emerged. In his writing, Luke borrows from both Jewish and Hellenistic literature. His use of ζήτησις is a further example of this, fitting neatly into neither category but taking elements of both, taking it with the sense of legal debate. It is perhaps the cognate συζητέω which comes closest to the use of the question and answer genre by Aristotle, Philo and Demetrius. When Luke uses this term, it describes a debate on matters related to the customs of Moses, or interpretation of Scripture. Συζητέω also occurs six times in Mark, where it is closely connected to the interpretation of Scripture, and these occurrences will now be examined briefly.

7.7 Excursus on the use of συζητέω in Mark

The passages in which συζητέω occurs in the Gospel of Mark provide an insight into how the Markan Jesus reads Scripture. From the beginning of the Gospel, Mark presents Jesus as an authoritative teacher of Scripture (see Mark 1:21-28). The final passage in which συζητέω occurs (Mark 12.18-27, 28-34), demonstrates that Jesus's reading of Torah is built on a foundation of love – something unique that Jesus adds to the Golden Rule. Examining how Jesus interprets Torah can provide a key lens through which to interpret the legal debates in Mark 2.23-28; 7.1-23 and 10.1-9. Mark presents the beginnings of what Joel Marcus has termed 'Christian midrash,'⁹⁰¹ meaning an interpretation of Scripture with a Christian perspective, which in Mark comes from the mouth of Jesus. An examination of the pericopae in which συζητέω occurs (Mark 1.21-28; 8.11-13; 9.9-13; 12.18-27, 28-34) demonstrates that the words of Jesus can also be a subject of debate in the same way that the text of Scripture is debated and interpreted by Jesus himself.

From the four passages in which συζητέω occurs in Mark, one can draw some conclusions. Mark 1.21-28, which is a pericope of programmatic significance for the Gospel, presents a debate among those present in the synagogue in Capernaum following Jesus's interpretation of Scripture. It is the authoritative nature of Jesus's words which leads to this debate, in addition to their newness (Mark 1.27). The nature of Jesus's interpretation of Mal 3.22 in Mark 9.11-13 may indicate that it was Jesus's expansion of the scriptural text which led to the debate among the congregation in the synagogue. This interpretation was more positively received than that of the scribes, who, though absent from the scene, are presented as theoretical opponents of Jesus.

⁹⁰¹ Joel Marcus, *The Way of the Lord: Christological Exegesis of the Old Testament in the Gospel of Mark* (Edinburgh: T & T Clark, 1993), 108.

In the passages where Mark uses συζητέω, the authority of Jesus, specifically with relation to his authority to interpret Scripture, emerges as a key theme. The Markan Jesus's authoritative interpretation of Scripture leads to the amazement of the congregation in the synagogue (Mark 1.27), and ultimately to the approval of the 'good' scribe (Mark 12.28, 32). Mark has demonstrated Jesus's knowledge of the Scriptures, and encourages the readers to 'listen to him' (Mark 9.7), who also knows the power of God. Moreover, in Mark 9.9-13, the Markan Jesus interprets Mal 3.22 with reference to himself, and John the Baptist. This interpretation, which finds scriptural support for a suffering Messiah, goes beyond the interpretation of the scribes, and is described by Mark using the verb συζητέω.

In the wider context of this thesis, it is of great import that συζητέω is so closely connected with the interpretation of Scripture in the Gospel of Mark. It cannot be without significance that where the term appears the interpretation of Scripture is frequently at the centre of the debate. A focus on Mark's use of συζητέω demonstrates that, in Mark, Jesus has the true authority to teach Scripture (unlike the scribes). This authority is demonstrated in getting the better of the Sadducees in a debate, with a citation from Exodus 3 supporting his argument (Mark 12.18-27). After demonstrating that he knows the Scriptures, Jesus is invited by a scribe to give his opinion on which is the greatest commandment (Mark 12.28). In these passages, Mark presents Jesus as the one who has the authority to interpret Scripture. While this authority is simply stated in the first pericope, in subsequent passages where συζητέω occurs, Jesus's authority is demonstrated, especially in Mark 12.17-34. This investigation can inform future studies on Mark, especially in relation to Jesus's disputes on the Sabbath (Mark 2.23-28), purity (Mark 7.1-23), and divorce (Mark 10.1-12).

9. Conclusion

This dissertation has sought to examine the issue of midrash in the NT by tracing the history of **דרש** and **מדרש** from their usage in the Tanak, the DSS, Ben Sira, and the Mishnah, in addition to how **דרש** was translated in the LXX. In taking this approach, it was possible to see how these terms were used in texts which are older than the NT (with the exception of the Mishnah, which is dated to the first half of the third century CE). Additionally, by examining how **דרש** was translated in the LXX, most frequently by **ζητέω** and cognates, it was possible to see how the translators may have been influenced by the genre of *zētēsis*, which was popular in the Hellenistic world and used by Hellenistic Jewish authors, for example, Demetrius and Philo. Following this, it examined Acts, where the focus was Luke's use of **ζήτησις**, a term which describes the debate at the Council of Jerusalem.

Throughout the investigation, continuities and discontinuities emerged in the usage of **דרש**. Taking the use of **דרש** in the Tanak as a starting point, a basic meaning of 'to search' was established. There was a division between what might be termed appropriate and inappropriate searching, dependent on the object of the search. 'Good' searching was that which had the Lord or God as its object, while a negative side of searching is that which does not have the Lord as its object, but looks toward Baal, false mediums, or ghosts. The object of the search is a key element which determines its character. In the Tanak, the object is generally the Lord (God), or a false god, while a prophet may act as a medium. Only in one instance is a text present as an object of **דרש**, in Ezra 7:10. The primary sense of **דרש** in the Tanak can be seen prominently in the DSS. Indeed the *raison d'être* of the Qumran community was to seek God (1 QS 1.1; CD 1.10). Thus, the primary sense of searching for God

remains consistent, but the place where that search occurs can change, something which can be seen in the various objects of דרש.

Objects provide an interesting lens through which to examine the use of דרש in the other documents and sets of documents in this dissertation. Additional objects to דרש are found in the DSS, Ben Sira and the Mishnah. It is possible to trace changes in the use of the term across these texts. In the DSS, legal terms become more prominent as objects of דרש. A key change which can also be seen in the DSS is that Torah and the scriptural text emerges as an object of דרש. At Qumran, a community which held Scripture in high esteem, there is a sense in which the will of God is sought through interpretation of Torah, so a text becomes a legitimate object of דרש. This sense is also present in Ben Sira, as was established in the discussion of Ben Sir 3.21-24, and Ben Sira 32.15. Yet, at this stage other sense of דרש are present in both the DSS, and Ben Sira, where ‘mundane’ searching is still primary sense of דרש. In the later text of the Mishnah, this sense is much more prevalent, accounting for twenty-three of twenty-seven occurrences. But it is also the case that by the time of the Mishnah, the primary sense of דרש is textual interpretation.

Another sense in which דרש is used is that of examination of a person. This sense emerges in the DSS, where a member is tested on their knowledge and compliance with the laws of the community (1 QS 5.20; 6.14, 17; CD 6.18; 20.32-33). Additionally, in 1 QS 6.24 and 8.26, מדרש is used to mean a community investigation or examination, following the sense of דרש in the same text, where the object is a person. This sense is not present in Ben Sira, but four of the occurrences of

פירוש in the Mishnah carry the sense of legal investigation. Thus, a person may be the object of פירוש in the Mishnah, where פירוש occurs in the sense of a legal investigation. The sense which was present in the DSS remains in the Mishnah, and shows the diversity with which פירוש is used.

A key question for this dissertation is whether פירוש is used with the sense of scriptural interpretation, consequently a close analysis of these texts was undertaken. While some scholars argue that Ezra 7.10 provides the roots of Midrash, one occurrence of פירוש with a text as an object is not sufficient to base any solid conclusions. It is important to see how scriptural interpretation becomes the most common sense with which פירוש in the Mishnah. This sense is also present in the DSS and Ben Sira. The evidence from Qumran indicates that biblical study and interpretation were central aspects of the life of the community. The *yahad* was dedicated to seeking the Lord and studying Torah, and defined itself as a community which studies and searches Scripture (1 QS 5.7-12; 6.6-8). This search needed to be carried out in the correct way, which is that approved by the IL, and not that of the 'Seekers After Smooth Things.' This is important, as the community marks its opponents as those who do not interpret Scripture correctly. The community at Qumran searched for the will of God in (new) interpretations of Scripture. In a similar way, the book of Ben Sira highlights the importance of searching Torah. In Ben Sira 3.21-24, Ben Sira warns his students against searching for apocalyptic and mystical things. Rather, they are to pursue wisdom. For Ben Sira, the correct way to attain wisdom is to seek and study the Torah (Ben S 32.15). This highlights the importance of Torah for Ben Sira, as it acts as a check on searching. For Ben Sira, true wisdom is

to be found in the Torah. Even before the beginning of the Common Era, there is evidence from two sources that **דרש** is used with the sense of scriptural interpretation. The Mishnah, the latest text which was examined in this dissertation, has twenty-seven occurrences of **דרש**, twenty-three of which are used with the sense of biblical interpretation. It is also significant that while there are only 265 scriptural citations across the 517 tractates in the Mishnah, in tractates where **דרש** occurs, there are frequently scriptural citations. It is fair to conclude on the evidence of the texts examined that **דרש** is used with the sense of scriptural interpretation in these texts. While it is still not used exclusively with this sense in the Mishnah, by the time of the first rabbinic text scriptural interpretation is the primary sense of **דרש**. At a time when the era of prophecy had ended, people began to search for and access the divine will through the Scriptures, and **דרש** was used to denote inquiry into or study of these texts.

A second issue for those who seek midrashic roots in the NT is that of language. For that reason, the translation of **דרש** in the LXX was investigated. As might be expected, the Greek equivalent ζήτησις (and cognates) was most frequently used to translate **דרש**. This term is linguistically linked to the genre of *zētēsis*, which has its roots in criticism of the poetry of Homer, and those who sought to defend the poet. This genre was taken up by Hellenistic Jewish authors Demetrius the Chronographer, and Philo of Alexandria, who used the techniques of the Hellenistic world to ask questions of the biblical text, and solve difficulties raised therein. Thus, by the time of the NT, it is possible to state that Jewish Hellenistic authors were

comfortable with using Hellenistic exegetical techniques to interpret the biblical text, especially techniques of the field of *zētēsis*.

Parallels can be drawn between the use of פְּרִשָּׁה and the genre of *zētēsis*. The dissertation established that פְּרִשָּׁה was used with the sense of biblical interpretation in the DSS, Ben Sira, and the Mishnah. The genre of *zētēsis* was also used in an exegetical sense in the Hellenistic world, especially for defending Homer against his critics. Hellenistic Jews such as Philo and Demetrius were comfortable in using the question and answer technique to interpret the biblical text. Parallels can be drawn between the wider genre of *zētēsis* and rabbinic Midrash, with similar techniques being used in both. In the Jewish Hellenistic milieu, Philo in particular used techniques which would be familiar from the world of Midrash in order to interpret the biblical text (see *QG*). Philo combined the question and answer technique from the genre of *zētēsis* with techniques which would later become familiar from rabbinic literature.

Bringing this evidence to the NT, focus fell on the Acts of the Apostles, specifically on Luke's choice of the term ζήτησις to describe the debate at the Council of Jerusalem. Considering the evidence of the study of the genre of *zētēsis*, one might have expected that ζήτησις would relate to interpretation of a text. The evidence from Acts demonstrated however that where Luke uses ζήτησις matters of Jewish law are in view. Thus, the choice of the term to describe the debate at the Council suggests that it is a debate pertaining to the law of Moses. The decision made by the Council is grounded in legal and scriptural interpretation, with the speech of Peter appealing to direct divine intervention, and that of James appealing to the authority of Scripture, to support the admission of Gentiles to the Christian

community without having to be circumcised and follow the law of Moses. The Apostolic Decree regulates the relationship of Gentile Christians to the law of Moses.

Luke's use of ζήτησις is not in complete continuity with the genre of zētēsis in the Hellenistic world. It is not based on the interpretation of a text, but, for Luke, ζήτησις is a legal debate and ζητήματα are questions of Jewish law. There are some parallels with the use of שׂרר in the sense of legal investigation, but again this is a minority use of the term. Nonetheless, there are still parallels with rabbinic literature, and with some uses of שׂרר in earlier texts. In many ways this is endemic of the problems with seeking parallels between rabbinic literature and the NT. These parallels remain somewhat elusive, but the approach of this dissertation has sought to trace the developments of the use of שׂרר across a series of texts, and examine how this was translated into Greek before applying these to the NT text.

This dissertation has sought to identify whether שׂרר was used with the sense of textual interpretation in the first century CE, and has established that this was indeed the case, as seen in the DSS and Ben Sira. Furthermore, the interpretation of Scripture emerged as a means of divine revelation. In the Tanak, the primary sense of שׂרר was that of searching, with the object of positive searching being the Lord, and divine will often sought through the medium of a prophet. Following the end of prophecy, that will had to be sought through other means, and as early as Ezra 7.10, the Torah emerged as a means of seeking the divine will, by means of its interpretation. This sense of שׂרר can be seen in the DSS and Ben Sira, and by the time of the Mishnah, was the primary sense of the term. A study of this nature could not ignore the Hellenistic world, and this dissertation has identified the genre of

zētēsis as a fruitful place to seek equivalents of rabbinic exegesis in the Hellenistic world, based on both linguistic similarity, and hermeneutical techniques. Authors such as Demetrius the Chronographer and Philo of Alexandria used the techniques of the genre to ask questions of, and solve problems raised by, the biblical text.

It was in such a milieu that the NT authors composed their texts. The investigation of the history of the use of פְּרָשָׁה, and the genre of zētēsis, informs the world in which the NT was written. By taking account of texts written in Hebrew and Greek, a fuller picture emerges of the world of the first century CE, and informs the background of certain NT texts. An examination of Acts has demonstrated that Luke uses the term ζήτησις to refer to debates on matters of Jewish law. Thus, it is possible to see how the Council of Jerusalem is a Jewish legal debate, where the Gentile Christians' relationship to the law of Moses is discussed, and a decision reached by reference to divine revelation and Scripture. The Gentiles are not required to adhere to the entire law of Moses; their relationship to the law is regulated by the Apostolic Decree. This investigation has provided a new way to interpret the Council of Jerusalem, and has demonstrated that it situates the debate within the realm of Jewish law.

The method used in this dissertation to investigate midrash in the NT has found that roots of midrash are to be found not only in the DSS and Ben Sira, but also in Hellenistic Jewish literature, particularly in the genre of zētēsis. Demetrius and Philo asked similar questions of the biblical text to the rabbis. While it is clear from even a brief examination that there are many differences between the NT and rabbinic midrash, that is not to say that there are not parallels between the two bodies of texts. It is of note that Mark uses συζητέω in pericopae which highlight Jesus's

authoritative interpretation of Scripture. Συζητέω, a cognate of ζητέω, when it occurs in the NT generally refers to the interpretation of Scripture.

This thesis provides grounds for further research. Firstly, the use of συζητέω in Mark could be explored in more depth. Secondly, שרר in rabbinic literature could look beyond the Mishnah to include later texts, in particular the Tosefta. This would more fully situate the use of שרר in rabbinic literature, and demonstrate how a second core rabbinic text uses this key term. Further work could also be done on the genre of zētēsis, especially in the centuries closer to the turn of the era. While this dissertation has focused on the works of Demetrius the Chronographer, and Philo, their exegetical techniques could be compared and contrasted both with other works of Hellenistic Judaism, and their contemporaries in the Greek, and indeed Roman, worlds. Additionally, this investigation could inform scholarship of the patristic era. Church fathers such as Jerome and Origen have used the techniques of zētēsis, and drawing out the links to critics of Homer could lead to valuable insights for patristic exegesis.

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